

ROSS FY 1999 FUNDING

PART VII

OTHER CERTIFICATIONS AND ASSURANCES

APPENDICES

ROSS Certifications and Assurances

Attached are the blank certifications and assurances to be completed and included in this Tab with your ROSS application.

- Assurances—Non-Construction Programs (SF-424 B)
- Certification for a Drug-Free Workplace (Form HUD-50070)
- Applicant/Recipient Disclosure/Update Report (Form HUD-2880)
- Applicant's Disclosure on Lobbying Activities
- Disclosure of Lobbying Activities (SF-LLL)
- Disclosure of Lobbying Activities Continuation Sheet (SF-LLL-A)
- Certification of Payments to Influence Federal Transactions (Form HUD-50071)
- Certification Regarding Disbarment and Suspension (Form HUD-2992)
- Certification of Non-Duplication of Funding Request (Service Coordinators only)
- Acknowledgement of Application Receipt

Also included is a list of HUD Field Offices and Area ONAP offices, and description of the ten Federal regions.

Assurances—Non-Construction Programs

OMB Approval No. 0348-0040

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Please do not return your completed form to the Office of Management and Budget; send it to the address provided by the sponsoring agency.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.O. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 36701 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a and 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (e) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of

project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the national Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 or OMB Circular No. A-133, Audits of Institutions of Higher Learning and other Non-profit Institutions.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official

Title

Applicant Organization

Date Submitted

Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Applicant Name

Program/Activity Receiving Federal Grant Funding

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. Sites for Work Performance. The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Check here ☐ if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.

(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Title

Signature

Date

X

Applicant/Recipient Disclosure/Update Report

**U.S. Department of Housing
and Urban Development**
Office of Ethics

OMB Approval No. 2510-0011
& 2506-0167 (exp. 1/31/99)

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 4.)

Part I Applicant/Recipient Information

Indicate whether this is an Initial Report ☐

or an Update Report ☐

1. Applicant/Recipient Name, Address, and Phone (include area code)

Social Security Number or
Employer ID Number

2. Project Assisted/ to be Assisted (Project/Activity name and/or number and its location by Street address, City, and State)

3. Assistance Requested/Received

4. HUD Program

5. Amount Requested/Received	
\$	

Part II. Threshold Determinations -- Applicants Only

1. Are you requesting HUD assistance for a specific project or activity, as provided by 24 CFR Part 12, Subpart C, **and** have you received, or can you reasonably expect to receive, an aggregate amount of all forms of covered assistance from HUD, States, and units of general local government, in excess of \$200,000 during the Federal fiscal year (October 1 through September 30) in which the application is submitted?

☐ Yes☐ No

If Yes, you must complete the remainder of this report.

If No, you must sign the certification below and answer the next question.

I hereby certify that this information is true. (Signature) _____ Date _____

2. Is this application for a specific housing project that involves other government assistance?

☐ Yes☐ No

If Yes, you must complete the remainder of this report.

If No, you must sign this certification.

I hereby certify that this information is true. (Signature) _____ Date _____

If your answers to both questions are No, you do not need to complete Parts III, IV, or V, but you must sign the certification at the end of the report.

Part III. Other Government Assistance Provided/Requested

Department/State/Local Agency Name and Address	Program	Type of Assistance	Amount Requested/Provided

Is there other government assistance that is reportable in this Part and in Part V, but that is reported only in Part V? ☐ Yes ☐ No

If there is no other government assistance, you must certify that this information is true.

I hereby certify that this information is true. (Signature) _____ Date _____

Part IV. Interested Parties

Alphabetical list of all persons with a reportable financial interest in the project or activity (for individuals, give the last name first)	Social Security Number or Employee ID Number	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)

If there are no persons with a reportable financial interest, you must certify that this information is true.
I hereby certify that this information is true. (Signature) _____ Date _____

Part V. Report on Expected Sources and Uses of Funds

Source

If there are no sources of funds, you must certify that this information is true.

I hereby certify that this information is true. (Signature) _____ Date _____

Use

If there are no uses of funds, you must certify that this information is true.

I hereby certify that this information is true. (Signature) _____ Date _____

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosure of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature	Date
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Public reporting burden for this collection of information is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection information unless that collection displays a valid OMB control number.

Privacy Act Statement. Except for Social Security Numbers (SSNs) and Employer Identification Numbers (EINs), the Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under section 102 of the Department of Housing and Urban Development Reform Act of 1989, 42 U.S.C. 3531. Disclosure of SSNs and EINs is optional. The SSN or EIN is used as a unique identifier. The information you provide will enable HUD to carry out its responsibilities under Sections 102(b), (c), and (d) of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989. These provisions will help ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. They will also help ensure that HUD assistance for a specific housing project under Section 102(d) is not more than is necessary to make the project feasible after taking account of other government assistance. HUD will make available to the public all applicant disclosure reports for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be made available along with the disclosure reports, but in no case for a period generally less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Freedom of Information Act (5 U.S.C. §552) and HUD's implementing regulations at 24 CFR Part 15. HUD will use the information in evaluating individual assistance applications and in performing internal administrative analyses to assist in the management of specific HUD programs. The information will also be used in making the determination under Section 102(d) whether HUD assistance for a specific housing project is more than is necessary to make the project feasible after taking account of other government assistance. You must provide all the required information. Failure to provide any required information may delay the processing of your application, and may result in sanctions and penalties, including imposition of the administrative and civil money penalties specified under 24 CFR §12.34.

Note: This form only covers assistance made available by the Department. States and units of general local government that carry out responsibilities under Sections 102(b) and (c) of the Reform Act must develop their own procedures for complying with the Act.

Instructions (See Note 1 on last page.)

I. Overview. Subpart C of 24 CFR Part 12 provides for (1) initial reports from applicants for HUD assistance and (2) update reports from recipients of HUD assistance. An overview of these requirements follows.

A. Applicant disclosure (initial) reports: General. All applicants for assistance from HUD for a specific project or activity must make a number of disclosures, if the applicant meets a dollar threshold for the receipt of covered assistance during the fiscal year in which the application is submitted. The applicant must also make the disclosures if it requests assistance from HUD for a specific housing project that involves assistance from other governmental sources. Applicants subject to Subpart C must make the following disclosures:

- Assistance from other government sources in connection with the project,
- The financial interests of persons in the project,
- The sources of funds to be made available for the project, and
- The uses to which the funds are to be put.

B. Update reports: General. All recipients of covered assistance must submit update reports to the Department to reflect substantial changes to the initial applicant disclosure reports.

C. Applicant disclosure reports: Specific guidance. The applicant must complete all parts of this disclosure form if **either** of the following **two** circumstances in paragraph 1. or 2., below, applies:

1.a. Nature of Assistance. The applicant submits an application for assistance for a specific project or activity (See Note 2) in which:

HUD makes assistance available to a recipient for a specific project or activity; or

HUD makes assistance available to an entity (other than a State or a unit of general local government), such as a public housing agency (PHA), for a specific project or activity, where the application is required by statute or regulation to be submitted to HUD for any purpose; **and**

b. Dollar Threshold. The applicant has received, or can reasonably expect to receive, an aggregate amount of all forms of assistance (See Note 3) from HUD, States, and units of general local government, in excess of \$200,000 during the Federal fiscal year (October 1 through September 30) in which the application is submitted. (See Note 4)

2. The applicant submits an application for assistance for a specific housing project that involves other government assistance. (See Note 5) **Note:** There is no dollar threshold for this criterion: **any** other government assistance triggers the requirement. (See Note 6)

If the Application meets **neither** of these two criteria, the applicant need only complete Parts I and II of this report, as well as the certification at the end of the report. If the Application meets **either** of these criteria, the applicant must complete the entire report.

The applicant disclosure report must be submitted with the application for the assistance involved.

D. Update reports: Specific guidance. During the period in which an application for covered assistance is pending, or in which the assistance is being provided (as indicated in the relevant grant or other agreement), the applicant must make the following additional disclosures:

1. Any information that should have been disclosed in connection with the application, but that was omitted.
2. Any information that would have been subject to disclosure in connection with the application, but that arose at a later time, including information concerning an interested party that now meets the applicable disclosure threshold referred to in Part IV, below.
3. For changes in previously disclosed other government assistance:

For programs administered by the Assistant Secretary for Community Planning and Development, any change in other government assistance that exceeds the amount of such assistance that was previously disclosed by \$250,000 or by 10 percent of the assistance (whichever is lower).

For all other programs, any change in other government assistance that exceeds the amount of such assistance that was previously disclosed.

4. For changes in previously disclosed financial interests, any change in the amount of the financial interest of a person that exceeds the amount of the previously disclosed interests by \$50,000 or by 10 percent of such interests (whichever is lower).

5. For changes in previously disclosed sources or uses of funds:

a. For programs administered by the Assistant Secretary for Community Planning and Development:

Any change in a source of funds that exceeds the amount of all previously disclosed sources of funds by \$250,000 or by 10 percent of those sources (whichever is lower); and

Any change in a use of funds under paragraph (b)(1)(iii) that exceeds the amount of all previously disclosed uses of funds by \$250,000 or by 10 percent of those uses (whichever is lower).

b. For all programs, other than those administered by the Assistant Secretary for Community Planning and Development:

For projects receiving a tax credit under Federal, State, or local law, any change in a source of funds that was previously disclosed.

For all other projects, any change in a source of funds that exceeds the lower of:

The amount previously disclosed for that source of funds by \$250,000, or by 10 percent of the amount previously disclosed for that source, whichever is lower; or

The amount previously disclosed for all sources of funds by \$250,000, or by 10 percent of the amount previously disclosed for all sources of funds, whichever is lower.

c. For all programs, other than those administered by the Assistant Secretary for Community Planning and Development:

For projects receiving a tax credit under Federal, State, or local law, any change in a use of funds that was previously disclosed.

For all other projects, any change in a use of funds that exceeds the lower of:

The amount previously disclosed for that use of funds by \$250,000, or by 10 percent of the amount previously disclosed for that use, whichever is lower; or

The amount previously disclosed for all uses of funds by \$250,000, or by 10 percent of the amount previously disclosed for all uses of funds, whichever is lower.

Note: Update reports must be submitted within 30 days of the change requiring the update. The requirement to provide update reports only applies if the application for the underlying assistance was submitted on or after the effective date of Subpart C.

II. Line-by-Line Instructions.

A. Part I. Applicant/Recipient Information.

All applicants for HUD assistance specified in Section I.C.1.a., above, as well as all recipients required to submit an update report under Section I.D., above, must complete the information required by Part I. The applicant/recipient must indicate whether the disclosure is an initial or an update report. Line-by-line guidance for Part I follows:

1. Enter the full name, address, city, State, zip code, and telephone number (including area code) of the applicant/recipient. Where the applicant/recipient is an individual, the last name, first name, and middle initial must be entered. Entry of the applicant/recipient's SSN or EIN, as appropriate, is optional.

2. Applicants enter the name and full address of the project or activity for which the HUD assistance is sought. Recipients enter the name and full address of the HUD-assisted project or activity to which the update report relates. The most appropriate government identifying number must be used (e.g., RFP No.; IFB No.; grant announcement No.; or contract, grant, or loan No.) Include prefixes.

3. Applicants describe the HUD assistance referred to in Section I.C.1.a. that is being requested. Recipients describe the HUD assistance to which the update report relates.

4. Applicants enter the HUD program name under which the assistance is being requested. Recipients enter the HUD program name under which the assistance, that relates to the update report, was provided.

5. Applicants enter the amount of HUD assistance that is being requested. Recipients enter the amount of HUD assistance that has been provided and to which the update report relates. The amounts are those stated in the application or award documentation. NOTE: In the case of assistance that is provided pursuant to contract over a period of time (such as project-based assistance under section 8 of the United States Housing Act of 1937), the amount of assistance to be reported includes all amounts that are to be provided over the term of the contract, irrespective of when they are to be received.

Note: In the case of Mortgage Insurance under 24 CFR Subtitle B, Chapter II, the mortgagor is responsible for making the applicant disclosures, and the mortgagee is responsible for furnishing the mortgagor's disclosures to the Department. Update reports must be submitted directly to HUD by the mortgagor.

Note: In the case of the Project-Based Certificate program under 24 CFR Part 882, Subpart G, the owner is responsible for making the applicant disclosures, and the PHA is responsible for furnishing the owner's disclosures to HUD. Update reports must be submitted through the PHA by the owner.

B. Part II. Threshold Determinations — Applicants Only

Part II contains information to help the applicant determine whether the remainder of the form must be completed. **Recipients filing Update Reports should not complete this Part.**

1. The first question asks whether the applicant meets the Nature of Assistance and Dollar Threshold requirements set forth in Section I.C.1. above.

If the answer is Yes, the applicant must complete the remainder of the form. If the answer is No, the form asks the applicant to certify that its response is correct, and to complete the next question.

2. The second question asks whether the application is for a specific housing project that involves other government assistance, as described in Section I.C.2. above.

If the answer is Yes, the applicant must complete the remainder of the form. If the answer is No, the form asks the applicant to certify that its response is correct.

If the answer to both questions 1 and 2 is No, the applicant need not complete Parts III, IV, or V of the report, but must sign the certification at the end of the form.

C. Part III. Other Government Assistance.

This Part is to be completed by both applicants filing applicant disclosure reports and recipients filing update reports. Applicants must report any other government assistance involved in the project or activity for which assistance is sought. Recipients must report any other government assistance involved in the project or activity, to the extent required under Section I.D.1., 2., or 3., above.

Other government assistance is defined in note 5 on the last page. For purposes of this definition, other government assistance is expected to be made available if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the assistance will be forthcoming.

Both applicant and recipient disclosures must include all other government assistance involved with the HUD assistance, as well as any other government assistance that was made available before the request, but that has continuing vitality at the time of the request. Examples of this latter category include tax credits that provide for a number of years of tax benefits, and grant assistance that continues to benefit the project at the time of the assistance request.

The following information must be provided:

1. Enter the name and address, city, State, and zip code of the government agency making the assistance available. Include at least one organizational level below the agency name. For example, U.S. Department of Transportation, U.S. Coast Guard; Department of Safety, Highway Patrol.
2. Enter the program name and any relevant identifying numbers, or other means of identification, for the other government assistance.
3. State the type of other government assistance (e.g., loan, grant, loan insurance).
4. Enter the dollar amount of the other government assistance that is, or is expected to be, made available with respect to the project or activities for which the HUD assistance is sought (applicants) or has been provided (recipients).

If the applicant has no other government assistance to disclose, it must certify that this assertion is correct.

To avoid duplication, if there is other government assistance under this Part and Part V, the applicant/recipient should check the appropriate box in this Part and list the information in Part V, clearly designating which sources are other government assistance.

D. Part IV. Interested Parties.

This Part is to be completed by both applicants filing applicant disclosure reports and recipients filing update reports.

Applicants must provide information on:

- (1) All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- (2) any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Recipients must make the additional disclosures referred to in Section I.D.1., 2., or 4, above.

Note: A financial interest means any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residency of an individual in housing for which assistance is being sought is not, by itself, considered a covered financial interest.

The information required below must be provided.

1. Enter the full names and addresses of all persons referred to in paragraph (1) or (2) of this Part. If the person is an entity, the listing must include the full name of each officer, director, and principal stockholder of the entity. All names must be listed alphabetically, and the names of individuals must be shown with their last names first.
2. Entry of the Social Security Number (SSN) or Employee Identification Number (EIN), as appropriate, for each person listed is optional.
3. Enter the type of participation in the project or activity for each person listed: i.e., the person's specific role in the project (e.g., contractor, consultant, planner, investor).
4. Enter the financial interest in the project or activity for each person listed. The interest must be expressed both as a dollar amount and as a percentage of the amount of the HUD assistance involved.

If the applicant has no persons with financial interests to disclose, it must certify that this assertion is correct.

5. Part V. Report on Sources and Uses of Funds. This Part is to be completed by both applicants filing applicant disclosure reports and recipients filing update reports.

The applicant disclosure report must specify all expected sources of funds — both from HUD and from any other source — that have been, or are to be, made available for the project or activity. Non-HUD sources of funds typically include (but are not limited to) other government assistance referred to in Part III, equity, and amounts from foundations and private contributions. The report must also specify all expected uses to which funds are to be put. All sources and uses of funds must be listed, if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the source or use will be forthcoming.

Note that if any of the source/use information required by this report has been provided elsewhere in this application package, the applicant need not repeat the information, but need only refer to the form and location to incorporate it into this report. (It is likely that some of the information required by this report has been provided on SF 424A, and on various budget forms accompanying the application.) If this report requires information beyond that provided elsewhere in the application package, the applicant must include in this report all the additional information required.

Recipients must submit an update report for any change in previously disclosed sources and uses of funds as provided in Section I.D.5., above.

General Instructions — sources of funds

Each reportable source of funds must indicate:

- a. The name and address, city, State, and zip code of the individual or entity making the assistance available. At least one organizational level below the agency name should be included. For example, U.S. Department of Transportation, U.S. Coast Guard; Department of Safety, Highway Patrol.
- b. The program name and any relevant identifying numbers, or other means of identification, for the assistance.
- c. The type of assistance (e.g., loan, grant, loan insurance).

Specific instructions — sources of funds.

(1) For programs administered by the Assistant Secretaries for Fair Housing and Equal Opportunity and Policy Development and Research, each source of funds must indicate the total amount of approved, and received; and must be listed in descending order according to the amount indicated.

(2) For programs administered by the Assistant Secretaries for Housing-Federal Housing Commissioner, Community Planning and Development, and Public and Indian Housing, each source of funds must indicate the total amount of funds involved, and must be listed in descending order according to the amount indicated.

(3) If Tax Credits are involved, the report must indicate all syndication proceeds and equity involved.

General instructions—uses of funds.

Each reportable use of funds must clearly identify the purpose to which they are to be put. Reasonable aggregations may be used, such as “total structure” to include a number of structural costs, such as roof, elevators, exterior masonry, etc.

Specific instructions -- uses of funds.

(1) For programs administered by the Assistant Secretaries for Fair Housing and Equal Opportunity and Policy Development and Research, each use of funds must indicate the total amount of funds involved; must be broken down by amount committed, budgeted, and planned; and must be listed in descending order according to the amount indicated.

(ii) For programs administered by the Assistant Secretaries for Housing-Federal Housing Commissioner, Community Planning and Development, and Public and Indian Housing, each use of funds must indicate the total amount of funds involved and must be listed in descending order according to the amount involved.

(iii) If any program administered by the Assistant Secretary for Housing-Federal Housing Commissioner is involved, the report must indicate all uses paid from HUD sources and other sources, including syndication proceeds. Uses paid should include the following amounts.

AMPO

Architect's fee — design

Architect's fee — supervision

Bond premium

Builder's general overhead

Builder's profit

Construction interest

Consultant fee

Contingency Reserve

Cost certification audit fee

FHA examination fee

FHA inspection fee

FHA MIP

Financing fee

FNMA / GNMA fee

General requirements

Insurance

Legal — construction

Legal — organization

Other fees

Purchase price

Supplemental management fund

Taxes

Title and recording

Operating deficit reserve

Resident initiative fund

Syndication expenses

Working capital reserve

Total land improvement

Total structures

Uses paid from syndication must include the following amounts:

Additional acquisition price and expenses

Bridge loan interest

Development fee

Operating deficit reserve

Resident initiative fund

Syndication expenses

Working capital reserve

Footnotes:

1. All citations are to 24 CFR Part 12, which was published in the Federal Register on March 14, 1991 at 56 Fed. Reg. 11032.
2. A list of the covered assistance programs can be found at 24 CFR §12.30, or in the rules or administrative instructions governing the program involved. Note: The list of covered programs will be updated periodically.
3. Assistance means any contract, grant, loan, cooperative agreement, or other form of assistance, including the insurance or guarantee of a loan or mortgage, that is provided with respect to a specific project or activity under a program administered by the Department. The term does not include contracts, such as procurements contracts, that are subject to the Federal Acquisition Regulation (FAR) (48 CFR Chapter 1).
4. See 24 CFR §§12.32 (a)(2) and (3) for detailed guidance on how the threshold is calculated.
5. "Other government assistance" is defined to include any loan, grant, guarantee, insurance, payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect assistance from the Federal government (other than that requested from HUD in the application), a State, or a unit of general local government, or any agency or instrumentality thereof, that is, or is expected to be made, available with respect to the project or activities for which the assistance is sought.
6. For further guidance on this criterion, and for a list of covered programs, see 24 CFR §12.50.
7. For purposes of Part 12, a person means an individual (including a consultant, lobbyist, or lawyer); corporation; company; association; authority; firm; partnership; society; State, unit of general local government, or other government entity, or agency thereof (including a public housing agency); Indian tribe; and any other organization or group of people.

APPLICANT'S DISCLOSURE ON LOBBYING ACTIVITIES

Sign the Standard Form LLL, Disclosure of Lobbying Activities and include them in the application. Section 319 of Public Law 101-121 prohibits recipients of Federal contracts, grants, and loans from using appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government. A common rule governing the restrictions on lobbying was published as an interim rule on February 26, 1990 (55 FR 6736), and supplemented by a Notice published June 15, 1990 (55 FR 24540). The rule requires applicants for and recipients of assistance exceeding \$100,000 to certify that no Federal funds have been or will be spent on lobbying activities in connection with the assistance. The rule also requires disclosures from applicants and recipients if non-appropriated funds have been spent or committed for lobbying activities if those activities would be prohibited if paid with appropriated funds. The law provides substantial monetary penalties for failure to file the required certification or disclosure. This does not apply to Indian tribes or TDHEs, tribal organizations, or any other Indian organization with respect to expenditures specifically permitted by other Federal law that are not covered by the definition of person in 24 CFR Part 87.

Attached is Standard Form LLL. Complete and include this form in the ROSS application.

Disclosure of Lobbying Activities

Approved by OMB 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse side for Instructions.)

Public Reporting Burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Please do not return your completed form to the Office of Management and Budget; send it to the address provided by the sponsoring agency .

1. Type of Federal Action (enter appropriate letter) <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action (enter appropriate letter) <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type (enter appropriate letter) <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known Congressional District , if known			5. If Reporting Entity in No. 4 is Subawardee, enter Name and Address of Prime Congressional District , if known		
6. Federal Department/Agency			7. Federal Program Name/Description CFDA Number , if applicable		
8. Federal Action Number , if known			9. Award Amount , if known \$		
10a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI)			b. Individuals Performing Services (including address if different from No. 10a.) (last name, first name, MI)		
11. Information requested through this form is authorized by Sec.319, Pub. L. 101-121, 103 Stat. 750, as amended by sec. 10; Pub. L. 104-65, Stat. 700 (31 U.S.C. 1352). This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature Print Name Title Telephone No. Date		
Federal Use Only			Authorized for Local Reproduction Standard Form-LLL (1/96)		

Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, state and zip code of the registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Certification of Payments
to Influence Federal Transactions

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

Applicant Name

Program/Activity Receiving Federal Grant Funding

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.
Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Form with fields for Name of Authorized Official, Title, Signature, and Date. The Signature field contains an 'X' mark.

Certification Regarding Debarment and Suspension

U.S. Department of Housing
and Urban Development

Certification A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

1. The prospective primary participant certifies to the best of its knowledge and belief that its principals;

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal debarment or agency;

b. Have not within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;

c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Certification (A)

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms **covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded**, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of these regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines this eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph (6) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Certification (B)

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms **covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded**, as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of these regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph (5) of these instructions, if a participant in a lower covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies including suspension and/or debarment.

Applicant		Date
Signature of Authorized Certifying Official	Title	

**CERTIFICATION OF NON-DUPLICATION
OF FUNDING REQUEST**

**U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

(Service Coordinator Applicants Only)

As the authorized signatory of the below-named public housing agency, I certify/understand that in the event that this Service Coordinator grant application is funded and the Housing Agency also has an Elderly/Disabled Economic Development and Supportive Services (EDSS) grant from FY 1998 or FY 1998 carryover for the below-named development(s), that the public housing agency will not use EDSS funds to pay for a Service Coordinator. Therefore, if awarded funding under both programs, the executed grant agreement will be contingent upon a non-duplication of funding.

Public Housing Agency

Development(s) to be served by the Service Coordinator

Executive Director Signature

Date

Executive Director Name (Typed)

**ACKNOWLEDGEMENT OF
APPLICATION RECEIPT**

**U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

Type or clearly print the Applicant's name and full mailing address in the space below.

(Fold Line)

Type or clearly print the following information:

Name of the Federal Program to which the applicant is applying: _____

To Be Completed by HUD

HUD received your application by the deadline and will consider it for funding. In accordance with Section 103 of the Department of Housing and Urban Development Reform Act of 1989, no information will be released by HUD regarding the relative standing of any applicant until funding announcements are made. However, you may be contacted by HUD after initial screening to permit you to correct certain application deficiencies.

HUD did not receive your application by the deadline; therefore, your application will not receive further consideration. Your application is:

Enclosed

Being sent under separate cover

Processor's Name _____

Date of Receipt _____

HUD'S PUBLIC HOUSING AREA OFFICES

HUD Field Offices

NEW ENGLAND REGION

BOSTON

JAMES WALLACE

Office of Public Housing
DHUD - Massachusetts State Office
Thomas P. O'Neill, Jr. Federal Building
10 Causeway Street, Room 553
Boston, MA 02222-1092
(617) 565-5197 fax (617) 565-5257

HARTFORD

Office of Public Housing
DHUD - Connecticut State Office
19th Floor
One Corporate Center
Hartford, CT 06103-3220
(860) 240-4800 or (860) 240-4850

MANCHESTER

ROBIN GAGNIN

Office of Public Housing
DHUD - New Hampshire State Office
Norris Cotton Federal Building
275 Chestnut Street
Manchester, NH 03101-2487
(603) 666-7470 or fax (603) 666-7714

PROVIDENCE

JAMES WALLACE FROM BOSTON (CRI)

Office of Public Housing
DHUD - Rhode Island State Office
10 Weybosset Street, 6th Floor
Providence, RI 02903-3234
(401) 528-5372 or (401) 528-5370

NEW YORK/NEW JERSEY REGION

NEW YORK

JED ABRAMS

Office of Public Housing
DHUD - New York State Office
26 Federal Plaza, Suite 32-116
New York, New York 10278-0068
(212) 264-8931 fax (212) 264-0246

BUFFALO

JOAN SPILMAN

Office of Public Housing
DHUD - Buffalo State Office
Lafayette Court
465 Main Street, Fifth Floor
Buffalo, New York 14203-5755
(716) 551-5919 or -5755 fax (716) 551-5755

NEW JERSEY

KELLY PETERSON

Office of Public Housing
DHUD - New Jersey State Office
One Newark Center, 13th Floor
Newark, NJ 07102-5260
(973) 622-7900 ext. 3600 fax (973) 645-6239

MID-ATLANTIC REGION

PHILADELPHIA

Office of Public Housing
DHUD - Pennsylvania State Office
The Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
(215) 656-0576 or 0579, ext. 3308
fax (215) 656-3433

BALTIMORE**DANA JOHNSON**

Office of Public Housing
DHUD - Maryland State Office
City Crescent Building
10 South Howard Street, 5th Floor
Baltimore, Maryland 21201-2505
(410) 962-2520 ext. 3102 fax (410) 962-0668

WEST VIRGINIA**HENRY MILLER**

Office of Public Housing
DHUD - West Virginia State Office
Kanawha Valley Building
405 Capitol Street, Suite 708
Charleston, WV 25301-1795
(304) 347-7057 fax (304) 347-7045

PITTSBURGH

Office of Public Housing
DHUD - Pittsburgh Area Office
339 Sixth Avenue, 6th Floor
Pittsburgh, PA 15222-2515
(412) 644-6571 fax (412) 644-6499

VIRGINIA**YOLANDA WEBSTER**

Office of Public Housing
DHUD - Virginia State Office
The 3600 Centre
3600 West Broad Street
P.O. Box 90331
Richmond, VA 23230-0331
(804) 278-4500 ext. 3217 fax (804) 278-4603

DISTRICT OF COLUMBIA

Office of Public Housing
DHUD - District of Columbia Office
820 First Street, NE
Suite 450
Washington, DC 20002-4205
(202) 275-7965 ext 3175 fax (202) 275-0779

SOUTHEAST REGION**ATLANTA****LESLEY CISKI**

Office of Public Housing
DHUD - Georgia State Office
Richard B. Russell Federal Building
75 Spring Street, SW
Atlanta, GA 30303-3388
(404) 331-4766 fax (404) 730-2365

ALABAMA**DEBRA PIPPEN**

Office of Public Housing
DHUD - Alabama State Office
Beacon Ridge Tower
600 Beacon Parkway West, #300
Birmingham, AL 35209-4144
(205) 290-7601 ext 1101 fax (205) 290-7593

COLUMBIA**SYLVESTER FULTON**

Office of Public Housing
DHUD - South Carolina State Office
Strom Thurmond Federal Building
1835 Assembly Street
Columbia, SC 29201-2480
(803) 765-5831 or (806) 765-5515

GREENSBORO**JUDY HILLER**

Office of Public Housing
DHUD - North Carolina State Office
Koger Building
2306 West Meadowview Road
Greensboro, NC 27407-3707
(336) 547-4038 fax (336) 547-4015

MISSISSIPPI**GEORGE SMITH**

Office of Public Housing
DHUD - Mississippi State Office
Doctor A. H. McCoy Federal Building
100 West Capitol Street, Room 910
Jackson, MS 39269-1016
(601) 965-4761 fax (601) 965-4773

CORAL GABLES**GEORGIA LEBRON**

Office of Public Housing
DHUD - Florida State Office
Gables I Towers, Suite 501
1320 South Dixie Street
Coral Gables, FL 33146-2911
(305) 662-4589 (alt. 2270) fax (305) 662-4519

JACKSONVILLE**AISHA WILLIAMSON**

Office of Public Housing
DHUD - Jacksonville Area Office
Southern Bell Tower
301 West Bay Street, Suite 2200
Jacksonville, FL 32202-5121
(904) 232-1777 ext. 2142 fax (904) 232-3759

KENTUCKY**CAROL SPENSER**

Office of Public Housing
DHUD - Kentucky State Office
601 West Broadway
Post Office Box 1044
Louisville, KY 40201-1044
(502) 582-6163 ext. 370 fax (502) 582-6074

KNOXVILLE, TN**JOYCE BAKER**

Office of Public Housing
DHUD - Knoxville Area Office
John J. Duncan Federal Building
710 Locust Street, Third Floor
Knoxville, TN 37902-2526
(423) 545-4402 ext. 4 fax (423) 545-4569

NASHVILLE, TN**KAREN GILL**

Office of Public Housing
DHUD - Tennessee State Office
251 Cumberland Bend Drive, Suite 200
Nashville, TN 37228-1803
(615) 736-5063 ext. 6132 fax (615) 736-2886

SAN JUAN, PR

Office of Public Housing
DHUD - Caribbean Office
Administracion de Terrenos Building
171 Carlos E. Chardon Avenue, Suite 301
San Juan, PR 00916-0903
(787) 766-5400 ext. 2031 fax (787) 766-5995

MID-WEST REGION**CHICAGO**

Office of Public Housing
DHUD - Illinois State Office
Ralph H. Metcalfe Federal Building
77 West Jackson Boulevard
Chicago, IL 60604-3507
(312) 353-1915 or (312) 353-6236 ext. 2302
fax (312) 353-0121

CINCINNATI**LARRY DEMPSEY**

Office of Public Housing
DHUD - Cincinnati Area Office
525 Vine Street, Suite 700
Cincinnati, OH 45202-3188
(513) 684-2533 fax (513) 684-6224

CLEVELAND

Office of Public Housing
DHUD - Cleveland Area Office
Renaissance Building
1350 Euclid Avenue, Suite 500
Cleveland, OH 44115-1815
(216) 522-2700 fax (216) 522-2975

COLUMBUS**DAVID KELNER**

Office of Public Housing
DHUD - Ohio State Office
200 North High Street
Columbus, OH 43215-2499
(614) 469-5787, ext. 8224 or (614) 469-2949
fax (614) 469-2432

DETROIT

Office of Public Housing
DHUD - Michigan State Office
Patrick V. McNamara Federal Building
477 Michigan Avenue
Detroit, MI 48226-2592
(313) 226-6880, ext. 8111 fax (313) 226-5611

GRAND RAPIDS

Office of Public Housing
DHUD - Grand Rapids Area Office
50 Louis Street, NW, 3rd Floor
Grand Rapids, Michigan 49503
(616) 456-2127

INDIANAPOLIS

Office of Public Housing
DHUD - Indiana State Office
151 North Delaware Street, Suite 1200
Indianapolis, IN 46204-2556
(317) 226-6557 fax (317) 226-6317

MILWAUKEE**BEVERLY CARTER**

Office of Public Housing
DHUD - Wisconsin State Office
Henry S. Reuss Federal Plaza
310 West Wisconsin Avenue, Suite 1380
Milwaukee, WI 53203-2289
(414) 297-1029 ext. 8212 fax (414) 297-3947

MINNEAPOLIS**LUCY BECKWELL**

Office of Public Housing
DHUD - Minnesota State Office
220 South Second Street
Minneapolis, Minnesota 55401-2195
(612) 370-3171 ext. 2220 fax (612) 370-3220

SOUTHWEST REGION

FORT WORTH

ROMAN PALAMORES

Office of Public Housing
DHUD - Texas State Office
1600 Throckmorton
Post Office Box 2905
Fort Worth, TX 76113-2905
(817) 978-9325, ext. 3332 fax (817) 978-9289

ALBUQUERQUE

CARMELLA HERRERA

Office of Public Housing
DHUD - New Mexico State Office
625 Silver Avenue, S.W., Suite 100
Albuquerque, N.M. 87102-3185
(505) 346-7355 fax (505) 346-6604

HOUSTON

DEBBIE ALEXANDER

Office of Public Housing
DHUD - Houston Area Office
Norfolk Tower
2211 Norfolk, Suite 200
Houston, TX 77098-4096
(713) 313-2274 (alt. 2280) fax (713) 313-2319

Little Rock

Janie Allen

Office of Public Housing
DHUD - Arkansas State Office
TCBY Tower
425 West Capitol Avenue, Suite 900
Little Rock, AR 72201-3488
(501) 324-5933 fax (501) 324-5900

NEW ORLEANS

JANICE MANUEL

Office of Public Housing
DHUD - Louisiana State Office
501 Magazine Street, Ninth Floor
New Orleans, LA 70130
(504) 589-7235 fax (504) 589-6619

Oklahoma City

Office of Public Housing
DHUD - Oklahoma State Office
500 West Main Street
Oklahoma City, OK 73102
(405) 553-7454 fax (405) 553-7588

SAN ANTONIO

Office of Public Housing
DHUD - San Antonio Area Office
Washington Square
800 Dolorosa Street
San Antonio, TX 78207-4563
(210) 475-6865 fax (210) 472-6804

GREAT PLAINS REGION

KANSAS CITY

Office of Public Housing
DHUD - Kansas/Missouri State Office
Gateway Tower II
400 State Avenue
Kansas City, KS 66101-2406
(913) 551-5582 or (913) 551-6916
fax (913) 551-5416

DES MOINES

KATHY WINTER

Office of Public Housing
DHUD - Iowa State Office, Federal Building
210 Walnut Street, Room 29
Des Moines, IA 50309-2155
(515) 284-4315 fax (515) 284-4895

OMAHA

CHARLIE HILL

Office of Public Housing
DHUD - Nebraska State Office
Executive Tower Centre
10909 Mill Valley Road
Omaha, NE 68154-3955
(402) 492-3137 fax (402) 492-3150

ST. LOUIS

BOB DIESBACH

Office of Public Housing
DHUD - St. Louis Area Office
Robert A. Young Federal Building
1222 Spruce Street
St. Louis, MO 63103-2836
(314) 539-6505 fax (314) 539-6384

ROCKY MOUNTAIN REGION

DENVER

THOMAS WASHINGTON

Office of Public Housing
DHUD - Colorado State Office
First Interstate Tower North
633 - 17th Street, 12th Floor
Denver, CO 80202-3607
(405) 672-5380 fax (405) 672-5061

PACIFIC HAWAII REGION

SAN FRANCISCO

TOM BITEK

Office of Public Housing
DHUD - California State Office
Phillip Burton Federal Building/Courthouse
450 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102-3448
(415) 436-8375 fax (415) 436-8375

PHOENIX

(DENVER OFFICE HANDLES RESIDENT INITIATIVES)

Office of Public Housing
DHUD - Arizona State Office
Two Arizona Center
400 North 5th Street, Suite 1600
Phoenix, AZ 85004-2361
(602) 379-3045

LOS ANGELES

LYDIA MORALES

Office of Public Housing
DHUD - Los Angeles Area Office
AT&T Center
611 West 6th Street, Suite 800
Los Angeles, CA 90017-3127
(213) 894-8000 ext 3500 fax (213) 894-8096

SACRAMENTO

Office of Public Housing
DHUD - Sacramento Area Office
777 12th Street, Suite 200
Sacramento, CA 95814-1997
(916) 498-5220 ext. 421

NW/ALASKA REGION

SEATTLE

Office of Public Housing
DHUD - Washington State Office
Seattle Federal Office Building
909 1st Avenue, Suite 360
Seattle, WA 98104-1000
(206) 220-5290 Ext 3694 fax (206) 220-5133

PORTLAND

Office of Public Housing
DHUD - Oregon State Office
400 Southwest Sixth Avenue, Suite 700
Portland, OR 97204-1596
(503) 326-2619 fax (503) 326-2568

FEDERAL REGIONS

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Montana
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Hawaii
Nevada

Region 10

Alaska
Idaho
Oregon
Washington



Tuesday
August 10, 1999

Part V

**Department of
Housing and Urban
Development**

**Notice of Funding Availability: Resident
Opportunities and Self Sufficiency (ROSS)
Program; Notice**

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4520-N-01]

Notice of Funding Availability: Resident Opportunities and Self Sufficiency (ROSS) Program (Formerly Economic Development and Supportive Services, Tenant Opportunities Program and Public Housing Service Coordinators)**AGENCY:** Office of Public and Indian Housing, HUD.**ACTION:** Notice of funding availability (NOFA).**SUMMARY:****Purpose of Program**

The purpose of ROSS is to link services to public and Indian housing residents by providing grants for supportive services, resident empowerment activities and activities to assist residents in becoming economically self-sufficient.

Available Funds

Approximately \$66.6 million is being made available for the ROSS Program under this NOFA.

Eligible Applicants

Grants may be made to Public Housing Agencies (PHAs) on behalf of public housing residents, or directly to resident management corporations, resident councils, or resident organizations (including nonprofit entities supported by residents). Intermediary Resident Organizations (IROs) and those non-profits that operate associations and networks that administer programs benefiting public and assisted resident organizations are also eligible recipients for ROSS funding categories where specifically noted in this NOFA. Indian Tribes (Tribes) and Tribally designated housing entities (TDHEs) are eligible for grants under the Technical Assistance/ Training Support for Resident Organizations and Resident Service Delivery Models (RSDM) funding categories.

Application Deadline

Completed applications (one original and two copies) must be submitted by the time described in section I. of this NOFA, below, on: October 12, 1999 for Resident Management and Business Development; October 12, 1999 for Capacity Building and/or Conflict Resolution; November 8, 1999 for Resident Service Delivery Models; and September 9, 1999 for Service Coordinators.

Match

All grants require a match of at least 25% of the grant amount. This match does not have to be a cash match. It can be in-kind and/or cash contributions.

Additional Information

If you are interested in applying for funding under any of these programs, please review carefully the following information.

I. Application Due Date, Application Kits, Further Information and Technical Assistance**Application Due Date**

Except for the Resident Service Delivery Models funding category, eligible applications will be funded on a first-come, first-served basis, and applicants are urged to make their submissions as soon as possible before the due dates listed above.

(1) Mailed Applications (Other than Overnight or Express Mail Delivery)

Your application will be considered timely filed if postmarked before midnight, local time, on the application due date and received on or within ten (10) days of the application due date.

(2) Applications Sent by Overnight/ Express Mail Delivery

Applications sent by overnight delivery or express mail will be considered timely filed if received before or on the application due date, or upon submission of documentary evidence that they were placed in transit with the overnight delivery service by no later than the specified application due date.

(3) Hand Carried Applications

Applications must be delivered by 6:00 pm local time on the due date. Hand carried applications will be accepted during normal business hours before the application due date. On the application due date, business hours will be extended to 6:00 pm.

Address for Submitting Applications

By the application due date an original and one copy of the application must be received at the Grants Management Center (GMC); one copy must be received at the local Field Office with delegated public or assisted housing responsibilities attention: Director, Office of Public Housing, or, in the case of Indian Tribes/TDHEs, an original and one copy to ONAP, Denver Program Office, 1999 Broadway, Suite 3390, Denver, CO 80202. Applications, other than those from Tribes/TDHEs, should be sent to the GMC at the

following address: Grants Management Center, Attention: Director, 501 School Street, SW, Suite 800, Washington, DC 20024. A list of HUD Field Offices is included in the application kit for this NOFA.

For Application Kits

For an application kit and any supplemental information please call the PIH Information and Resource Center at 1-800-955-2232. Persons with hearing or speech impairments may call the Center's TTY number at 1-800-HUD-2209. The application kit also will be available on the Internet through the HUD web site at <http://www.hud.gov>. When requesting an application kit, please refer to ROSS and provide your name, address (including zip code), and telephone number (including area code).

For Further Information and Technical Assistance

For answers to your questions, you have several options. For ROSS and any of its funding categories, you may call the local HUD field office with delegated responsibilities over the pertinent housing agency/authority. Answers may also be obtained by calling the Public and Indian Housing Information and Resource Center at 1-800-955-2232. Information on this NOFA may also be obtained through the HUD web site on the Internet at <http://www.HUD.gov>.

II. Amount Allocated**(A) Total Amount**

Approximately \$66.6 million in funding is being made available under this NOFA. This amount is comprised of approximately \$40 million from the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, (Pub. L. 105-276, 112 Stat. 2461, approved October 21, 1998), (FY 1999 Appropriations Act), and approximately \$26.6 million of carryover funds from the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1998 (Pub. L. 105-65, 111 Stat. 1344, approved October 27, 1997), (FY 1998 Appropriations Act).

(B) Allocation

To the extent that there are a sufficient number of qualified applications, not less than 25% percent of funds available for ROSS shall be provided directly to resident councils, resident organizations, and resident management corporations. This requirement will be implemented by the awards made to resident organizations for the Technical Assistance/Training

Support for Resident Organizations and the Resident Service Delivery Models funding categories.

III. General Program Description; Funding Categories

(A) General Program Description

The Quality Housing and Work Responsibility Act of 1998 (the Public Housing Reform Act) (title V of the FY 1999 Appropriations Act) institutes various public housing reforms aimed at creating mixed income communities. Reforms contained in the Public Housing Reform Act will: reduce the costs of public and assisted housing by streamlining regulations; facilitate the formation of local partnerships; leverage State, local, and private resources; and uphold and protect residents' right to organize and empower themselves to improve their own communities. Specific provisions grant Public Housing Agencies (PHAs) increased flexibility to develop local solutions to address housing needs, but they are required to use that flexibility to better serve their residents by creating healthier, more economically integrated communities. Several initiatives are intended to enhance the quality of life for public housing residents while promoting self-sufficiency and personal responsibility in communities.

Section 538 of the Public Housing Reform Act adds a new section 34 to the United States Housing Act of 1937 which provides a mandate to link services and public housing residents for economic self-sufficiency. The Resident Opportunities and Self Sufficiency (ROSS) Program responds to this initiative by redefining, restructuring and consolidating certain aspects of previous programs while incorporating objectives contained in the Public Housing Reform Act.

The newly enacted legislative authority formally recognizes a vital connection between providing housing delivery and other services that are necessary for improvements in the quality of life for public housing residents. Through ROSS the Department will programmatically address essential links of services to public housing residents. The purpose of ROSS is to provide linkages to public housing residents by providing supportive services, resident empowerment activities and assisting residents in becoming economically self-sufficient. This program purpose is consistent with the Department's goal to most effectively focus resources on "welfare to work" and on independent living for the elderly and persons with disabilities. HUD believes that it is

imperative that housing authorities and residents work together to meet the challenge of welfare reform.

Under the ROSS Program, priority will be given to funding those models that are successful models and may have proven themselves on a limited basis in practical situations. The ROSS Program seeks to provide assistance to implement practical solutions within the grant term, thereby delivering results in the form of improved economic self-sufficiency for public housing residents. This philosophy should be reflected in the proposed grant activities for all funding categories within the ROSS program.

As indicated in section II., above, of this NOFA, the funding sources for this first ROSS Program NOFA are the FY 1997 Appropriations Act, the FY 1998 Appropriations Act and the FY 1999 Appropriations Act, specifically, from funds made available under these Acts for Economic Development and Supportive Services (EDSS), the Tenant Opportunities Program (TOP), and Public Housing Service Coordinators. HUD has determined that these programs are sufficiently similar to the new ROSS Program under section 34 of the 1937 Act to permit the funds appropriated for them to be made available under ROSS. However, the specific statutory provisions under the FY 1997, 1998 and 1999 Appropriations Acts that apply to the use of these funds must still be observed, even though they do not appear in section 34. For example, Indian Tribes and TDHEs are eligible for funding under the FY 1998 and 1999 Appropriations Acts, and they are eligible under this NOFA although section 34 does not mention them. Similarly, the provisions in this NOFA that Section 8 recipients may be among those participating or receiving benefits are taken from the Appropriations Acts; section 34 only permits public housing residents, not Section 8 recipients, to participate and receive benefits. HUD anticipates that funding in subsequent appropriations acts will be specifically targeted for section 34, and the "blending" of requirements to address statutory provisions, as in this NOFA, will not be necessary.

(B) Funding Categories

The following are funding categories under ROSS:

(1) Technical Assistance/Training Support for Resident Organizations

(a) *Resident Management and Business Development.* Resident Management and Business Development grants will be made directly to resident organizations and to Tribes/TDHEs that

partner with Tribal resident organizations (ROs) and Tribal resident management corporations (RMCs) to: increase resident involvement and participation in their housing developments; develop resident management opportunities; provide resident-led business or cooperative development opportunities; and obtain necessary supportive services for self-sufficiency. (See section IV.(A) of this NOFA for a specific requirements for this funding category.)

(b) *Resident Capacity Building and/or Conflict Resolution.* The Resident Capacity Building funding category provides grants to Intermediary Resident Organizations (IROs) on behalf of public housing residents, which include Public Housing Site-Based Resident Councils; Resident Management Corporations; and Tribes/TDHEs on behalf of tribal housing residents, Tribal ROs and Tribal RMCs; and those non-profits which operate associations and networks that administer programs that benefit public and Tribal housing resident organizations, for assistance to site-based resident associations who do not yet have the capacity to administer a welfare-to-work program or conduct management activities. The funds will be used to help establish new resident organizations or enhance the capacity of existing organizations to enable them to participate in housing agency decision-making, manage all or a portion of their developments, and/or apply for and administer grants. (See section IV.(B) of this NOFA for specific requirements for this funding category). The Conflict Resolution (CR) funding category provides assistance to Intermediary Resident Organizations (IROs), Tribes/TDHEs that partner with Tribal resident organizations and Tribal resident management corporations, and those non-profits which operate associations and networks that administer programs that benefit public and Tribal housing resident organizations, to partner with professional mediators to resolve conflicts involving public housing residents, tribal housing residents, and/or site-based resident associations. (See section IV.(B) of this NOFA for a specific requirements for this funding category.)

(2) Resident Service Delivery Models

The Resident Service Delivery Models (RSDM) funding category provides grants to Public Housing Agencies (PHAs), Indian Tribes and Tribally designated housing entities (TDHEs) on behalf of public and Tribal housing residents, or directly to resident management corporations, resident

councils, or resident organizations, including nonprofit entities supported by residents. There are two types of grants: (1) Family—program related and supportive services to establish and implement comprehensive programs that achieve resident self-sufficiency for families, or (2) Elderly and Disabled— independent living for the elderly and persons with disabilities. (See section V. of this NOFA for a specific requirements for this funding category.)

(3) Service Coordinator Renewals

The Service Coordinator grant category provides resources to PHAs to address the needs of public housing residents who are elderly and disabled persons. Service coordinators help residents obtain supportive services that are needed to enable independent living. Only renewals of prior Public Housing Elderly and Disabled Service Coordinator grants will be funded under this NOFA; no applications for new Service Coordinator grants will be accepted. (See section VI. of this NOFA for a specific requirements for this funding category.)

(C) Number of Applications Permitted

Each applicant may submit no more than one application under this NOFA. The only exception is that applicants for Service Coordinator Renewal grants under section VI. of this NOFA may also apply in one additional funding category. To avoid a duplication of funding, in any funding category listed here (Resident Management and Business Development; Capacity Building, Conflict Resolution; Resident Service Delivery Models—Family, Resident Service Delivery Models—Elderly/Disabled), there may be no more than one application per PHA development. (i.e., a PHA and one of its RAs may not both successfully submit an application for a Resident Service Delivery Models' Family grant to serve the same development.)

IV. Technical Assistance/Training Support for Resident Organizations

(A) Resident Management and Business Development

(1) Program Description

These grants are available to establish and strengthen organizational capacity for site-based resident associations that do not have the capacity to administer a welfare-to-work program or conduct management activities.

(2) Amount Allocated

(a) A total of \$6 million, of which \$500,000 is for Tribes/TDHEs that partner with Tribal ROs and Tribal

RMCs, is being made available for awards to qualified applicants for Resident Management and Business Development (RMBD) grants.

(b) *Maximum Grant Award* for this funding category shall be \$100,000 per applicant.

(3) Eligible Applicants

Site-Based Resident Associations (RAs), City-Wide Resident Organizations (CWROs), and Tribes/TDHEs that partner with Tribal ROs and Tribal RMCs. If an RA is a beneficiary or recipient of proposed grant activities by a CWRO, then that RA cannot also apply under this category. Previous TOP grantees must demonstrate that they have spent at least 75 percent of any prior grant by the publication date of this NOFA. Applications from a Tribe or TDHE must include a Memorandum of Understanding (MOU) (see section IV.(A)(8)(b), below, of this NOFA) with the Tribal RO or RMC.

(4) Eligible Participants

For applications that are not from a Tribe or TDHE, at least 75 percent of the persons participating and receiving benefits from RMBD activities must be residents of conventional public housing; any other persons (up to 25 percent per grantee) participating or receiving benefits from these programs must be recipients of Section 8 assistance. In addition, all applicants must provide evidence that at least 51 percent of those served by the activities are households affected by welfare reform.

(5) Eligible Activities

Under this funding category funds may be used for the activities described below.

(a) Training related to resident-owned business or cooperative development and technical assistance for job training and placement in RMC developments;

(b) Technical assistance and training in resident managed business development through: feasibility and market studies; development of business plans; outreach activities; and innovative financing methods including revolving loan funds and the development of credit unions; and legal advice in establishing a resident-managed business entity or cooperative.

(c) Establishing and funding revolving loan funds;

(d) Training residents, as potential employees of an RMC, in skills directly related to the operation, management, maintenance and financial systems of a development;

(e) Training residents with respect to fair housing requirements; and

(f) Gaining assistance in negotiating management contracts and designing a long-range planning system.

(g) Providing social support needs (such as self sufficiency and youth initiatives) including:

(i) Feasibility studies to determine training and social services needs;

(ii) Training in management-related trade skills, computer skills, and similar skills;

(iii) Management-related employment training and counseling including job search assistance, job development assistance, job placement assistance, and follow up assistance;

(iv) Supportive services including: child care services; educational services, remedial education, literacy training, ESL instruction, assistance in attaining a GED; vocational training including computer training; health care outreach and referral services; meal services for the elderly or persons with disabilities; personal assistance to maintain hygiene/appearance for the elderly or persons with disabilities; housekeeping assistance for the elderly or persons with disabilities; transportation services; congregate services for the elderly or persons with disabilities; and case management;

(v) Training for programs such as child care, early childhood development, parent involvement, volunteer services, parenting skills, before and after school programs;

(vi) Training programs on health, nutrition, safety and substance abuse;

(vii) Workshops for youth services including: child abuse and neglect prevention, tutorial services, youth leadership skills, youth mentoring, peer pressure reversal, life skills, and goal planning. The workshops could be held in partnership with community-based organizations such as local Boys and Girls Clubs, YMCA/YWCA, Boy/Girl Scouts, Campfire, and Big Brother/Big Sisters;

(viii) Training in the development of strategies to successfully implement a youth program. For example, assessing the needs and problems of the youth, improving youth initiatives that are currently active, and training youth, housing agency staff, resident management corporations and resident councils on youth initiatives and program activities;

(ix) Physical improvements to facilities at public housing developments in order to provide space for self-sufficiency activities for residents, i.e. to provide cosmetic improvements and repairs to space to conduct community activities; or to expand existing community space for proposed ROSS activities. Physical

improvements may not exceed 50% of the total grant amount and must be directly related to providing space for self-sufficiency activities for residents. Refer to Office of Management and Budget (OMB) Circular A-87, Cost Principles for State, Local and Indian Tribal Governments;

(1) Renovation, conversion, and repair costs may be essential parts of physical improvements. In addition, architectural, engineering, and related professional services required to prepare architectural plans or drawings, write-ups, specifications or inspections may also be part of the cost components to implement physical improvements.

(2) The renovation, conversion, or combination of vacant dwelling units in a PHA development to create common areas to accommodate the provision of supportive services is an eligible activity for physical improvement.

(3) The renovation of existing common areas in a PHA development to accommodate the provision of supportive services.

(4) The renovation or repair of facilities located near the premises of one or more PHA developments to accommodate the provision of supportive services.

(5) Each applicant must submit a description of the renovation or conversion to be conducted along with a budget and timetable for those activities.

(6) Each applicant must demonstrate a firm commitment of assistance from one or more sources ensuring that supportive services will be provided for not less than 2 years following the completion of renovation, conversion, or repair activities funded under this NOFA.

(7) If renovation, conversion, or repair is done off-site, the PHA must provide documentation that it has control of the proposed property for not less than 2 years and preferably for 4 years or more. Control can be evidenced through a lease agreement, ownership documentation, or other appropriate documentation.

(6) Ineligible Resident Management and Business Development Activities and Costs

Ineligible activities and costs include the following:

(a) Entertainment, including associated costs such as food and beverages, except normal per diem for meals related to travel performed in connection with implementing the Work Plan. (See Travel Notice for more specific guidance.)

(b) Purchase or rental of land.

(c) Activities not directly related to the welfare-to-work initiatives (e.g., lead-based paint testing and abatement and operating capital for economic development activities).

(d) Purchase of any vehicle (car, van, bus, etc.).

(e) Payment of salaries for routine project operations, such as security and maintenance, or for applicant staff, except that a reasonable amount of grant funds may be used to hire a person to coordinate the Resident Management and Business Development grant activities or coordinate on-site social services.

(f) Payment of fees for lobbying services.

(g) Any expenditures that are fraudulent, wasteful or otherwise incurred contrary to HUD or OMB directives.

(h) Any cost otherwise eligible under this program section of this NOFA for which funds are being provided from any other source.

(i) Entertainment equipment such as televisions, radios, stereos, and VCRs. An exception to this item may be granted by the HUD Field Office or AONAP or if funding is being utilized specifically for the purposes of establishing a business directly related to radio, television or film or some other form of technical communication, and equipment is being utilized for training of residents or RAs. All such exceptions must be authorized in writing by the HUD Field Office or AONAP before purchases may be made.

(j) Any activity or cost determined by HUD on a case-by-case good cause basis to be ineligible.

(7) Application Submission Requirements

In addition to addressing the application submission requirements listed in section IX., below, of this NOFA, Resident Management and Business Development grant applications must include a description of how they will carry out and fund the following activities and costs:

(a) *Training.* on HUD regulations and policies governing the operation of low-income public housing including contracting/procurement regulations; financial management; capacity building to develop the necessary skills to assume management responsibilities at the project and property management; and training in accessing other funding sources.

(b) *Hiring trainers or other experts.* Resident grantees must ensure that all training is provided by a qualified public housing or management specialist (Consultant/Trainer), HUD

Headquarters, AONAP or Field staff or the local PHA. To ensure the successful implementation of the grant Work Plan activities, the applicants are required to determine the need to contract for outside consulting/training services. The applicant and the PHA must jointly select and approve the consultant/trainer. Each applicant should make maximum use of its PHA, non profit, or other Federal, State, Tribal or local government resources for technical assistance and training needs. The amount allowed for hiring an individual consultant for this purpose shall not exceed 30% of the total grant award or \$30,000, whichever is less. The amount available for all consultants and contracts shall not exceed 50% of the grant or \$50,000 whichever is less. HUD Field Offices and AONAPs will monitor this process to ensure compliance with program and OMB requirements, and particularly the requirement for competitive bidding.

(c) *Stipends.* Trainees and program participants of an RA, CWRO, or Tribe/TDHE may only receive stipends for participating in or receiving training under RM to cover the reasonable costs related to participation in training and other activities in the program, subject to the availability of funds. The stipends should be used for additional costs incurred during the training programs, such as child care and transportation costs. The cost of stipends may not exceed \$200 per month per trainee without written HUD Field Office or AONAP authorization.

(d) Reimbursement of reasonable expenses incurred by Officers and Board members in the performance of their fiduciary duties and/or training related to the performance of their official duties.

(e) Travel directly related to the successful completion of the required Work Plan. All grantees must adhere to the travel policy established by HUD Notice 96-18. The policy sets travel costs at a maximum amount of \$5,000 per RA without special HUD approval.

(f) Child care expenses for individual staff, board members, or residents in cases where those who need child care are involved in training-related activities associated with grant activities.

(g) Costs incurred by a RA in applying for 501(c) tax exempt status with Internal Revenue Service.

(h) *Administrative costs.* These costs are necessary for the implementation of grant activities. Administrative costs are not to exceed 20% of the grant. Appropriate administrative costs include, but are not limited to, the following reasonable costs or activities:

(i) *Space and equipment.*

Maintenance, utility costs, postage, building lease/rental costs, purchase or lease of telephone, computer, printing, copying, and sundry non-dwelling equipment (such as office supplies, software, and furniture). A grantee must justify the need for this equipment or space based on services being delivered in relationship to implementing its approved grant activities.

(ii) *Grant contract and financial management.* If a grantee is unable to obtain the services of a Contract Administrator or accountant without charge, the cost for a Contract Administrator and or accountant is eligible. The grantee is required to maintain documentation on file showing what efforts it made to obtain the services of a Contract Administrator cost-free.

(iii) *Technical assistance* regarding any other service and/or resource, including case management, that are proposed by applicants and approved by HUD.

(iv) Rental or lease of a car, van, or bus by resident grantees to attend training;

(8) *Threshold Requirements*

(a) *Focus on Residents Affected by Welfare Reform.* The application must contain written evidence provided by the PHA to the applicant, or by Tribe or TDHE that at least 51 percent of the public or Tribal housing residents (including Section 8 tenants as applicable) to be included in the proposed program are affected by the welfare reform legislation, including TANF recipients and, if affected, legal immigrants and SSI recipients. Elderly or disabled residents not otherwise affected by welfare reform may be included towards meeting the 51 percent requirement if, under the grant, they will provide services such as child care or mentoring to persons affected by welfare reform.

(b) *Partnership between the Resident Association and the PHA or the Tribal RO or RMC and the Tribe/TDHE.*

(1) The application must contain a signed Memorandum of Understanding (MOU) between the RA and the PHA or the Tribe/TDHE and the Tribal RO or RMC which describes the specific roles, responsibilities and activities to be undertaken between the two entities.

(2) The MOU, at a minimum, must identify the principal parties (i.e. the name of the PHA and RA or the Tribe/TDHE and the Tribal RO or RMC), the terms of the agreement (expectations or terms for each party), and indicate that the agreement pertains to the support of the grant application. This document is

the basis for foundation of the relationship between the RA and PHA or the Tribe/TDHE and the Tribal RO or RMC. It must be precise and outline the specific duties and objectives to be accomplished under the grant. All MOUs must be finalized, dated and signed by duly authorized officials of both the RA and PHA or the Tribe/TDHE and the Tribal RO or RMC upon submission of the application. A sample MOU will be provided in the application kit.

(c) *Accessible Community Facility.* The applicant must provide evidence (e.g. through an executed use agreement and/or in the MOU with the PHA) that a majority of the proposed activities will be administered at community facilities within easy access (i.e., walking or by direct (no transfers required), convenient, inexpensive and reliable transport) of the property or properties represented by the applicant. The community facility must also meet the structural accessibility requirements of section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

(d) *Match Requirement.*

(1) The applicant must supplement grant funds with an in-kind and/or cash match of not less than 25% of the grant amount. This match does not have to be a cash match. The match may include: the value of in-kind services, contributions or administrative costs provided to the applicant; funds from Federal sources (but not ROSS, EDSS, TOP or SC funds); funds from any State or local government sources; and funds from private contributions.

(2) The application must demonstrate that the cash or in-kind resources and services, which the applicant will use as match amounts (including resources from the applicant's Comprehensive Grant, other governmental units/agencies of any type, and/or private sources, whether for-profit or not-for-profit), are firmly committed and will support the proposed grant activities. "Firmly committed" means there must be a written agreement to provide the resources and services, signed by an official legally able to make commitments on behalf of the organization. The written agreement may be contingent upon an applicant receiving a grant award.

(3) The following are guidelines for valuing certain types of in-kind contributions:

(i) The value of volunteer time and services shall be computed at a rate of six dollars per hour except that the value of volunteer time and services involving professional and other special skills shall be computed on the basis of the usual and customary hourly rate

paid for the service in the community where the activity is located.

(ii) The value of any donated material, equipment, building, or lease shall be computed based on the fair market value at time of donation. Such value shall be documented by bills of sales, advertised prices, appraisals, or other information for comparable property similarly situated not more than one-year old taken from the community where the item or activity is located, as appropriate.

(e) *Contract Administrator.* For applicants other than Tribes/TDHEs, unless HUD or an Independent Public Accountant has determined that the applicant's financial management system and procurement procedures fully comply with 24 CFR part 84, the application must contain evidence that the applicant will use the services of a Contract Administrator in administering the grant. Troubled PHAs are not eligible to be Contract Administrators. In cases where the Contract Administrator is the PHA, the contract administration responsibilities can be incorporated into the MOU discussed above.

(f) *Applicant Non-Profit Status.*

Applications that are RAs/RMCs/CWROs must include evidence that the applicant is registered with the State as a nonprofit corporation at the time of application submission. CWROs only must have 501(c) status with the United States Internal Revenue Service at the time of application submission.

(g) *Certification of Elections.* Resident Organization applicants must submit certification of the RA board election, signed by the local PHA and/or an independent third-party monitor and notarized.

(h) *Compliance with Current Programs.* The applicant must provide a valid certification on the format provided in the application kit that it is not the subject of unresolved HUD Office of Inspector General findings and that it and the contract administrator are not in default at the time of application submission with respect to any previous HUD-funded grant programs the applicant or contract administrator has received.

(i) *List of RAs Receiving Support.* CWRO applications must list in their application the name of the RAs that will receive services and must submit letters of support from each RA identified in the application.

(9) *Application Selection Process*

Applicants for Resident Management and Business Development grants are required to address application submission requirements, but are not

required to address selection factors. Eligibility will be determined by applications that meet the threshold requirements of sections IV.(A)(8) and VII. of this NOFA. HUD will accept for funding the first five eligible applications from each of the ten federal regions and from ONAP National Program Office in Denver (ONAP) on a first-come, first-serve basis for 60 days after this NOFA is published. Any funds remaining after making awards to the first five eligible applications from each region and ONAP will be awarded to the next eligible application from each region or ONAP, then the next, and so forth until funds are exhausted. If sufficient funds are not available in any round to fund an eligible application from each region, the eligible applications will then be funded in the order in which they were received regardless of region. If sufficient funds are not available in any round to fund an eligible application from ONAP, or if funds remain available after funding every eligible ONAP application, the remaining funds are transferable to other funding categories in this NOFA in the following order: first, to qualifying applications from Tribes/TDHEs for Resident Service Delivery Model grants under section V. of this NOFA; second to qualifying applications from Tribes/TDHEs for Resident Capacity Building and/or Conflict Resolution grants under section IV.(B) of this NOFA; third, to qualifying applications for Resident Management and Business Development grants under this section IV.(A) from applicants that are not Tribes/TDHEs. In addition, if all funds are not awarded in this funding category to eligible regional applications received within 60 days after this NOFA is published, funds are transferable to other non-Tribe/TDHE funding categories in this NOFA in the following order: first, service coordinators under section VI. of this NOFA; second, Resident Capacity Building and/or Conflict Resolution under section IV.(B) of this NOFA; third, Resident Service Delivery Models under section V. of this NOFA. Where physical development activities are proposed, HUD will perform an environmental review, to the extent required by 24 CFR part 50, prior to award. The results of the environmental review may require that proposed activities be modified or proposed sites rejected.

(10) Grant Term

The grant term for Resident Management and Business Development grants is thirty-six months from the execution date of the grant agreement.

(B) Capacity Building and/or Conflict Resolution

(1) Program description

These grants are available for two types of awards:

(a) *Conflict Resolution Grants* (CR) are available to secure the services of professional mediators to resolve conflicts involving public or Tribal housing residents and/or Site-Based Resident Associations or Tribal ROs or RMCs. For Conflict Resolution Grants, a skilled mediator or partner, under the auspices of an applicant, will bridge impasses between residents and/or factions within specific developments, among active participants of a Site-Based Resident Association (RA) or Tribal ROs or RMCs, or between an RA or Tribal RO or RMC and its partners, especially local Housing Agencies. The scope of conflict resolution activities may include support for multicultural cooperation and communication. The applicant must apply in partnership with a recognized professional mediation organization. All mediators must have entered into at least one referral agreement with judicial, law enforcement or social services agencies to mediate for public housing residents served by the agency. After awarding the grants, HUD would refer cases requiring mediation to the grantee. Also conflicting parties, on their own initiative, could make requests for mediation services directly to the grantee. While mediating for residents and their partners, the professional mediators would also train grantee staff in mediation principles and skills for mediation in the future.

(b) *Capacity Building Grants* (CB) are available to provide technical assistance and training activities to establish and strengthen organizational capacity for site-based resident associations or Tribal ROs or RMCs that do not have the capacity to administer welfare-to-work and other programs, work with PHAs, Tribes or TDHEs, or conduct management activities. Capacity Building Grants will be targeted to help establish new site-based resident organizations or enhance the capacity of existing organizations to assist residents, participate in Housing Agency decision making, manage all or a portion of their housing development, and develop skills and expertise needed to administer grants.

(2) Amount Allocated for Capacity Building and/or Conflict Resolution

(a) \$5 million is available for CB/CR awards, of which \$400,000 is for applications from Indian Tribes or TDHEs.

(b) The maximum grant award will be \$15,000 per RA represented, up to the following maximums: \$105,000 for City-Wide Resident Organizations (CWROs), Indian Tribes, or TDHEs and \$240,000 per applicant for all other applicants in these funding categories. An applicant that is not a CWRO, an Indian Tribe, or a TDHE is required to serve a minimum of 10 RAs.

(3) Eligible applicants

(a) Intermediary Resident Organizations (IROs) on behalf of public housing residents, which include Public Housing Site-Based Resident Councils; Resident Management Corporations; and Tribes/TDHEs on behalf of tribal housing residents, Tribal ROs and Tribal RMCs may apply for Capacity Building and/or Conflict Resolution grants. IROs include National Resident Organizations, Statewide Resident Organizations, Regional Resident Organizations, City-Wide Resident Organizations, and Jurisdiction-Wide Resident Organizations.

(b) Non-profits that operate as associations and/or networks that administer programs that benefit public and Tribal housing resident organizations are also eligible for this funding category.

(c) An applicant that is not a CWRO must serve a minimum of 10 RAs.

(d) Previous TOP grantees must demonstrate that they have spent at least 75 percent of any prior grant by the publication date of this NOFA.

(4) Eligible Activities

(a) *Conflict resolution.* Conflict resolution grant activities may include, but are not limited to:

(i) Efforts to address conflicts related to gang violence;

(ii) Establishing violence-free zones to enhance the quality of living environment for public housing residents;

(iii) Training programs on mediation and communication skills;

(iv) Training programs on dispute resolution and reconciliation, including training addressing racial, ethnic and other forms of diversity;

(v) Workshops for youth services including: child abuse and neglect prevention, tutorial services, youth leadership skills, youth mentoring, peer pressure reversal, life skills, goal planning, health, and nutrition. The workshops may be held in partnership with community-based organizations such as local Boys and Girls Clubs, YMCA/YWCA, Boy/Girl Scouts, Campfire and Big Brother/Big Sisters, etc.

(vi) Training in the development of strategies to successfully implement a youth program. For example, assessing the needs and problems of youth, improving youth initiatives that are currently active, and training youth, housing agency staff, resident management corporations and resident councils on youth initiatives and program activities.

(b) *Capacity Building*. Eligible activities for CB grants may include, but are not limited to:

(i) Training Board members in community organizing, Board development, and leadership training;

(ii) Determining the feasibility of and training existing resident groups for resident management or for a specific resident management project;

(iii) Assisting in the creation of an RMC, such as consulting and legal assistance to incorporate, preparing by-laws and drafting a corporate charter;

(iv) Developing the management capabilities of existing resident organizations;

(v) Determining the feasibility of homeownership by residents, including assessing the feasibility of other housing (including HUD-owned or held single or multi-family) affordable for purchase by residents.

(5) *Ineligible Activities*

Ineligible activities are the same as those listed in section IV.(A)(6) of this NOFA, above. In addition, physical development activities are not eligible for funding under CB or CR grants.

(6) *Application Submission Requirements*

In addition to addressing the application submission requirements listed in section IX., below, of this NOFA, applicants for the CB and CR grants must provide a narrative description of proposed activities that addresses the following information: a description of the geographic boundaries of the RAs or Tribal ROs or RMCs included in the application; a description of the public or Tribal housing community; a detailed description of the issues or problems involved with each RA or Tribal RO or RMC to be served by the grant; and the resources that are currently being devoted to the problem or issue under consideration.

(7) *Threshold Requirements*

(a) *Written Agreement with Mediator*. Conflict Resolution applicants only must have a written agreement with a professional mediator or mediation organization (mediator/partner) outlining the roles and responsibilities

of each party, as well as any compensation to the mediator/partner (which must be reasonable and based on the work to be performed) defined. The written agreement must specify, consistent with the work plan, that the mediator/partner will train grantee staff and/or volunteers such that the grantee will be capable of providing mediation assistance independently by the end of the grant term;

(b) *Mediation Experience/Referral Agreement*. Conflict Resolution applicants only must provide evidence that their mediator/partner that are PHAs have at least three years of experience in providing mediation services and at least two years of experience in mediation training; and include one referral agreement with a judicial, law enforcement or social service agency such as the court system or Welfare Department for mediation referral of public housing residents.

(c) *Applicant Non-Profit Status*. Both CB and CR applications that are not Tribes/TDHEs must provide evidence that the applicant is registered with the State as a nonprofit corporation and has 501(c) status with the United States Internal Revenue Service at the time of application submission.

(d) *Compliance with Current Programs*. Both CB and CR applicants must provide certification on the format provided in the application kit that the applicant and the mediation partner are not in default at the time of application submission with respect to any previous HUD funded grant programs the applicant received and that there are no unresolved Office of Inspector General findings against the applicant or mediation partner.

(e) *Match Requirement*.

(i) Both CB and CR applicants must supplement grant funds with an in-kind and/or cash match of not less than 25% of the grant amount. This match does not have to be a cash match. The match may include: the value of in-kind services, contributions or administrative costs provided to the applicant; funds from Federal sources (but not ROSS, EDSS, TOP, or SC funds); funds from any State or local government sources; and funds from private contributions.

(ii) Both CB and CR applications must demonstrate that the cash or in-kind resources and services, which the applicant will use as match amounts (including resources from the applicant's Comprehensive Grant, other governmental units/agencies of any type, and/or private sources, whether for-profit or not-for-profit), are firmly committed and will support the proposed grant activities. "Firmly committed" means there must be a

written agreement to provide the resources and services, signed by an official legally able to make commitments on behalf of the organization. The written agreement may be contingent upon an applicant receiving a grant award.

(iii) The following are guidelines for valuing certain types of in-kind contributions:

(1) The value of volunteer time and services shall be computed at a rate of six dollars per hour except that the value of volunteer time and services involving professional and other special skills shall be computed on the basis of the usual and customary hourly rate paid for the service in the community where the activity is located.

(2) The value of any donated material, equipment, building, or lease shall be computed based on the fair market value at time of donation. Such value shall be documented by bills of sales, advertised prices, appraisals, or other information for comparable property similarly situated not more than one-year old taken from the community where the item or activity is located, as appropriate.

(f) *List of RAs Receiving Support*. In both CB and CR applications eligible applicants must list in their application the name of the RAs or Tribal ROs or RMCs that will receive training, technical assistance and/or coordinated supportive services and must submit letters of support from each entity identified in the application.

(8) *Application Selection Process*

Applicants for Conflict Resolution or Capacity Building grants are required to address application submission requirements but are not required to address selection factors. Applicants are required to include letters of support from the PHA or Tribe on behalf of RAs or Tribal ROs and RMCs to be served (see section IV.(B)(7)(f), above, of this NOFA). Eligibility will be determined by applications that meet the threshold requirements of sections IV.(B)(7) and VII. of this NOFA. HUD will accept for funding the first two eligible applications from each of the ten federal regions and from ONAP National Program Office in Denver (ONAP) on a first-come, first-serve basis for 60 days after this NOFA is published. Any funds remaining after making awards to the first two eligible applications from each region or ONAP will be awarded to the next eligible application from each region or ONAP, then the next, and so forth until funds are exhausted. If sufficient funds are not available in any round to fund an eligible application from each region, the eligible

applications will then be funded in the order in which they were received regardless of region. If sufficient funds are not available in any round to fund an eligible application from ONAP, or if funds remain available after funding every eligible ONAP application, the remaining funds are transferable to other funding categories in this NOFA in the following order: first, to qualifying applications from Tribes/TDHEs for Resident Service Delivery Model grants under section V. of this NOFA; second to qualifying applications from Tribes/TDHEs for Resident Management and Business Development grants under section IV.(A) of this NOFA; third, to qualifying applications for Resident Capacity Building and/or Conflict Resolution grants under this section IV.(B) from applicants that are not Tribes/TDHEs. In addition, if all funds are not awarded in this funding category to eligible regional applications received within 60 days after this NOFA is published, funds are transferable to other non-Tribe/TDHE funding categories in this NOFA in the following order: first, service coordinators under section VI. of this NOFA; second, Resident Capacity Building and/or Conflict Resolution under section IV.(B) of this NOFA; third, Resident Service Delivery Models under section V. of this NOFA.

(9) Grant Term

The grant term for both Capacity Building and Conflict Resolution grants is thirty-six months from the execution date of the grant agreement.

V. Resident Service Delivery Models (RSDM)

(A) Program Description

(1) Resident Service Delivery Models—Families

These grants provide services to assist eligible residents to become economically self-sufficient, particularly families with children where the head of household would benefit from the receipt of supportive services and is working, seeking work, or is preparing for work by participating in job-training or educational programs. Grants provide support for program activities essential to facilitate economic uplift and provide access to the skills and resources needed for employment, job development and business development.

(2) Resident Service Delivery Models—Elderly/Disabled

This grant category provides supportive services for elderly residents and persons with disabilities.

(B) Amount Allocated

(1) Amount Allocated for Resident Service Delivery Models

For RSDM, \$40.6 million is available for eligible applicants. Of this amount \$2 million is available for Tribes/TDHEs.

(2) Maximum Grant Award

(a) For PHAs and Tribes/TDHEs, the maximum grant application award will be based on the number of occupied units for family or the elderly and persons with disabilities, as applicable. For the RSDM category, PHAs must use the number of occupied units to determine the maximum grant amount in accordance with the categories listed below for family:

(i) For PHAs and Tribes/TDHEs with 1 to 780 occupied family units, the maximum grant award is \$75,000.

(ii) For PHAs and Tribes/TDHEs with 781 to 7,300 occupied family units, the maximum grant award is \$250,000.

(iii) For PHAs and Tribes/TDHEs with 7,301 or more occupied family units, the maximum grant award is \$500,000.

(b) For Elderly and Disabled RSDM grants, PHAs and Tribes/TDHEs may apply for the below listed maximums:

(i) For 1 to 217 units occupied by elderly residents or persons with disabilities, the maximum grant award is \$27,125.

(ii) For 218 to 1,155 units occupied by elderly residents or persons with disabilities, the maximum grant award is \$100,000.

(iii) For 1,156 or more units occupied by elderly residents or persons with disabilities, the maximum grant award is \$150,000.

(c) The maximum grant award for RAs is \$75,000.

(d) Non profit entities supported by residents or RAs are limited to \$75,000 for each RA. Non profit entities supported by residents may be awarded no more than three awards for different RAs.

(e) Tribes/TDHEs should use the number of units counted as Formula Current Assisted Stock for Fiscal Year 1998 as defined in 24 CFR 1000.316. Tribes who have not previously received funds from the Department under the 1937 Act should count housing units under management that are owned and operated by the Tribe and are identified in their housing inventory as of September 30, 1997.

(3) If all funds are not awarded in one funding category, funds are transferable to the other funding categories in this NOFA.

(C) Eligible Applicants

(1) Family

This funding category provides grants to PHAs, Indian Tribes and TDHEs on behalf of public and Tribal housing residents, or directly to resident management corporations, resident councils, or resident organizations, including nonprofit entities supported by residents, to enable them to establish and implement comprehensive programs that assist residents in becoming self-sufficient and/or enable independent living and aging in place.

(2) Elderly and Disabled

PHAs, Indian Tribes and TDHEs are eligible applicants in providing supportive services for the elderly and disabled.

(3) Previous Grantees

Previous EDSS, TOP, or Service Coordinator grantees must demonstrate that they have spent at least 75 percent of any prior grant by the publication date of this NOFA.

(4) Joint Applications

Two or more applicants may join together to submit a joint application for proposed grant activities. Joint applications must designate a lead applicant. All parties in a joint application (lead or non-lead) are considered to be applying for ROSS and are therefore subject to the limit of one ROSS application per applicant, with the exception of those Service Coordinator applicants that may also apply in one additional ROSS category. Funding for joint applications may not exceed the stated maximum for this funding category.

(D) Eligible Participants

At least 75 percent of the persons participating and receiving benefits from these activities must be residents of conventional public housing or Tribal housing. For applications that are not from a Tribe or TDHE, any other persons (up to 25 percent per grantee) participating or receiving benefits from these programs must be recipients of Section 8 assistance.

(E) Eligible Activities

Funds may be used for the activities described below, according to whether the application is for the family category, or elderly and disabled category.

(1) Family

(a) *Program Coordinator.* Applicants are encouraged to include a Program Coordinator for proposed RSDM

activities for the entire term of the grant. A Program Coordinator is a person who is responsible for coordinating various proposed activities to ensure that their accomplishment will assist in achieving overall grant goals and objectives.

(b) *Physical improvements* to provide space for self-sufficiency activities for residents, i.e. to provide cosmetic and repairs for space to conduct community activities; or to expand existing community space for proposed ROSS activities. Physical improvements may not exceed 50% of the total grant amount and must be directly related to providing space for self-sufficiency activities for residents. Refer to Office of Management and Budget (OMB) Circular A-87, Cost Principles for State, Local and Indian Tribal Governments.

(i) Renovation, conversion, and repair costs may be essential parts of physical improvements. In addition, architectural, engineering, and related professional services required to prepare architectural plans or drawings, write-ups, specifications or inspections may also be part of the cost components to implement physical improvements.

(ii) The renovation, conversion, or combination of vacant dwelling units in a housing development to create common areas to accommodate the provision of supportive services is an eligible activity for physical improvement.

(iii) The renovation of existing common areas in a housing development to accommodate the provision of supportive services.

(iv) The renovation or repair of facilities located near the premises of one or more housing developments to accommodate the provision of supportive services.

(v) Each applicant should submit a description of the renovation or conversion to be conducted along with a budget and timetable for those activities.

(vi) Each applicant must demonstrate a firm commitment of assistance from one or more sources ensuring that supportive services will be provided for not less than 2 years following the completion of renovation, conversion, or repair activities funded under this NOFA.

(vii) If renovation, conversion, or repair is done off-site, the applicant must provide documentation that it has control of the proposed property for not less than 2 years and preferably for 4 years or more. Control can be evidenced through a lease agreement, ownership documentation or other appropriate documentation.

(c) *Entrepreneurship training* (literacy training, computer skills training, business development planning).

(d) *Entrepreneurship development* (entrepreneurship training curriculum, entrepreneurship courses).

(e) *Micro/Loan fund*. Developing a strategy for establishing a revolving micro/loan fund and/or capitalizing a loan fund, including licensing, bonding, and insurance needed to operate a business.

(f) *Developing credit unions*. Developing a strategy to establish and/or create onsite credit union(s) to provide financial and economic development initiatives to PHA residents. (RSDM grant funds cannot be used to capitalize a credit union.) The credit union could support the normal financial management needs of the community (i.e., check cashing, savings, consumer loans, micro-businesses money management, home buyer counseling educational loans, and other revolving loans).

(g) *Employment training and counseling* (e.g., job training (such as apprenticeship programs), preparation and counseling, job search assistance, job development and placement, and continued follow-up assistance).

(h) *Employer linkage and job placement*.

(i) *Family only—supportive services activities*. The provision of services to assist eligible residents to become economically self-sufficient, particularly families with children where the head of household would benefit from the receipt of supportive services and is working, seeking work, or is preparing for work by participating in job-training or educational programs. Eligible supportive services may include, but are not limited to:

(i) Child care, of a type that provides sufficient hours of operation and serves appropriate ages as needed to facilitate parental access to education and job opportunities.

(ii) Computer-based educational opportunities, skills training, and entrepreneurial activities.

(iii) Homeownership training and counseling, development of feasibility studies and preparation of homeownership plans/proposals.

(iv) Education including but not limited to: remedial education; computer skills training; career counseling; literacy training; assistance in the attainment of certificates of high school equivalency; two-year college tuition assistance; trade school assistance; youth leadership skills and related activities (activities may include peer leadership roles training for youth counselors, peer pressure reversal, life

skills, goal planning). Academic support shall not be limited to TANF recipients.

(v) Youth mentoring of a type that mobilizes a potential pool of role models to serve as mentors to public or Tribal housing youth. Mentor activities may include after-school tutoring, help with problem resolution issues, illegal drugs avoidance, job counseling, or mental health counseling.

(vi) Transportation costs, as necessary to enable any participating family member to receive available services to commute to his or her training or supportive services activities or place of employment.

(vii) Personal well-being (e.g., family/parental development counseling, parenting skills training for adult and teenage parents, self-development counseling, support groups/counseling for victims of domestic violence, and/or families with a mentally ill member, etc.).

(viii) Supportive health care services (e.g., outreach and referral services to substance and alcohol abuse treatment and counseling, mental health services, wellness programs).

(ix) Contracting for case management services contracts or employment of case managers, either of which must ensure confidentiality about resident's disabilities.

(x) Administrative costs not to exceed 20% of the grant amount.

(xi) *Stipends*. No more than \$200 per participant per month of the grant award may be used for stipends for active trainees and program participants to cover the reasonable costs related to participation in training and other activities.

(2) *Elderly and Disabled—Supportive Services Activities*

May include, but are not limited to:

- (a) Meal service adequate to meet nutritional need;
- (b) Assistance with daily activities;
- (c) Housekeeping aid;
- (d) Transportation services;
- (e) Wellness programs, preventive health education, referral to community resources;
- (f) Personal emergency response; and
- (g) Congregate services—includes supportive services that are provided in a congregate setting at a conventional public or Tribal housing development.

(F) *Ineligible Activities*

Activities for which costs are ineligible for funding under the RSDM funding category include:

- (1) Payment of wages and/or salaries to participants receiving supportive services and/or training programs, except that grant funds under family

RSDM may be used to hire a resident(s) as a Program Coordinator or to provide training program activities.

(2) Purchase or rental of land.

(3) New construction, materials, and costs.

(4) Purchase of vehicles.

(G) Threshold Requirements

(1) Elderly Housing Development Certification

(For Elderly RSDM Applicants Only) A Certification that at least 25% of the residents of the development(s) proposed for grant activities are elderly and/or non elderly people with disabilities at the time of application.

(2) Focus on Residents Affected by Welfare Reform (For Family RSDM Only)

The RSDM application must demonstrate evidence from the PHA, Tribe or TDHE that at least 51% or more of the public or Tribal housing residents (including Section 8 tenants as applicable) to be included in the proposed program are affected by the welfare reform legislation, including Temporary Assistance for Needy Families (TANF) recipients, legal immigrants, and disabled SSI recipients.

(3) Accessible Community Facility

The application must provide evidence (e.g. through an executed use agreement if the facility is to be provided by an entity other than the PHA, Tribe or TDHE that a majority of the proposed activities will be administered at community facilities within easy transportation access (i.e., walking or by direct (no transfers required), convenient, inexpensive and reliable transport), of the property represented by the PHA, Tribe or TDHE. The community facilities must also meet the structural accessibility requirements of Section 504 of the rehabilitation Act and the Americans With Disabilities Act.

(4) Match Requirement

(a) The applicant must supplement grant funds with an in-kind and/or cash match of not less than 25% of the grant amount. This match does not have to be a cash match. The match may include: the value of in-kind services, contributions or administrative costs provided to the applicant; funds from Federal sources (but not ROSS, TOP, EDSS, or SC funds); funds from any State or local government sources; and funds from private contributions.

(b) The application must demonstrate that the cash or in-kind resources and services, which the applicant will use as match amounts (including resources from the applicant's Comprehensive

Grant, other governmental units/agencies of any type, and/or private sources, whether for-profit or not-for-profit), are firmly committed and will support the proposed grant activities. "Firmly committed" means there must be a written agreement to provide the resources and services signed by an official legally able to make commitments on behalf of the organization. The written agreement may be contingent upon an applicant receiving a grant award.

(c) The following are guidelines for valuing certain types of in-kind contributions:

(i) The value of volunteer time and services shall be computed at a rate of six dollars per hour except that the value of volunteer time and services involving professional and other special skills shall be computed on the basis of the usual and customary hourly rate paid for the service in the community where the RSDM activity is located.

(ii) The value of any donated material, equipment, building, or lease shall be computed based on the fair market value at time of donation. Such value shall be documented by bills of sales, advertised prices, appraisals, or other information for comparable property similarly situated not more than one-year old taken from the community where the item or RSDM activity is located, as appropriate.

(5) Compliance With Current Programs

The applicant must provide certification in the format provided in the application kit that it is not in default at the time of application submission with respect to grants for the following programs: the Family Investment Center Program; the Youth Development Initiative under the Family Investment Center Program; the Youth Apprenticeship Program; the Apprenticeship Demonstration in the Construction Trades Program; the Urban Youth Corps Program; the HOPE 1 Program; the Public Housing Service Coordinator Program; the Public Housing Drug Elimination Program; the Youth Sports Program; the Tenant Opportunities Program; and the Economic Development and Supportive Services Program.

(6) Contract Administrator

For applicants other than Tribes/TDHEs, unless HUD or an Independent Public Accountant has determined that the applicant's financial management system and procurement procedures fully comply with 24 CFR part 84, the application must contain evidence that the applicant will use the services of a Contract Administrator in administering the grant. Applicants that are troubled

PHAs are required to provide evidence that a Contract Administrator has been retained for the term of the grant.

(a) A Contract Administrator, if retained, must oversee the financial activities and assist with the entire implementation of the grant. A signed executed agreement must be included in the application. This agreement may be contingent upon the applicant receiving a grant award.

(b) The Contract Administrator may be: Local Housing Agencies (except for troubled PHAs); community-based organizations such as Community Development Corporations (CDC), churches; non-profits; State/Regional associations and organizations. Troubled PHAs are not eligible to be Contract Administrators.

(c) If a grantee is unable to obtain the services of a Contract Administrator or accountant without charge, the cost for a Contract Administrator and or accountant is eligible. The grantee is required to maintain documentation on file showing what efforts it made to obtain the services of a Contract Administrator cost-free.

(7) Applicant Non-Profit Status

Both RA and non-profit applicants only must submit evidence that the applicant is registered with the State as a nonprofit corporation at the time of application submission. Non-profits only must have 501(c) status with the United States Internal Revenue Service at the time of application submission.

(8) Certification of Elections

Resident Organization applicants only must submit certification of the RA board election as required by HUD, signed by the local PHA and/or an independent third-party monitor and notarized.

(H) Application Selection Process

All applications are due no later than 90 days from the publication date of this NOFA. Three types of reviews will be conducted: a screening to determine if the application submission is complete and on time; a threshold review to determine applicant eligibility; and a technical review to rate the applications based on the rating factors in section V.(I), below, of this NOFA. A minimum score of 55 is required to be considered for funding. If the applicant is not a PHA, where physical development activities are proposed, HUD will perform an environmental review, to the extent required by 24 CFR part 50, prior to award. The results of the environmental review may require that proposed activities be modified or proposed sites rejected.

HUD will conduct the selection process as follows:

(1) For Applicants Other Than Tribes/TDHEs

HUD will first select the highest ranked application from each of the ten federal regions for funding. After this "round," HUD will select the second highest ranked application in each of the ten federal regions for funding (the second round). HUD will continue this process with the third, fourth, and so on, highest ranked applications in each federal region until the last complete round is selected for funding. If available funds exist to fund some but not all eligible applications in the next round, HUD will make awards to those remaining applications in rank order regardless of region and will fully fund as many as possible with remaining funds. In addition, if all funds are not awarded in this funding category, funds are transferable to other funding categories in this NOFA in the following order: first, service coordinators under section VI. of this NOFA; second, Resident Management and Business Development under section IV.(A) of this NOFA; third, Resident Capacity Building and/or Conflict Resolution under section IV.(B) of this NOFA. The selection process is designed to achieve both geographic diversity and a more equitable distribution of grant awards throughout the country.

(2) For Tribes/TDHEs

After rating and ranking, HUD will fund Tribes/TDHEs in rank order until all funds allocated for Tribes/TDHEs have been awarded to the extent that there are eligible applications. Any remaining funds will be transferable to other funding categories in this NOFA in the following order: first, to qualifying applications from Tribes/TDHEs for Resident Management and Business Development grants under section IV.(A) of this NOFA; second to qualifying applications from Tribes/TDHEs for Resident Capacity Building and/or Conflict Resolution under section IV.(B) of this NOFA; third, to qualifying applications for Resident Service Delivery Model grants under this section V. from applicants that are not Tribes/TDHEs.

(I) Factors for Award Used to Evaluate and Rate RSDM Applications

The factors for rating and ranking applicants and maximum points for each factor are provided below. The maximum number of points available for this program is 100. In addition, this NOFA also provides for the award of two bonus points for eligible activities/

projects that are proposed to be located in federally designated Empowerment Zones (EZs), Enterprise Communities (ECs), or Urban Enhanced Enterprise Communities (EECs). The application kit contains a certification which must be completed for the applicant to be considered for EZ/EC bonus points and a listing of federally designated EZs, ECs, or Enhanced EECs.

An RSDM application must receive a total of 55 points out of 100 to be eligible for funding.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points)

This factor addresses the extent to which the applicant has the organizational resources necessary to successfully implement the proposed activities in a timely manner. In rating this factor HUD will consider the extent to which the proposal demonstrates:

(1) Proposed Program Staffing (7 Points)

(a) Experience. (4 Points): The knowledge and experience of the proposed project director and staff, including the day-to-day program manager, sub-recipients and partners in planning and managing programs for which funding is being requested. Experience will be judged in terms of recent, relevant and successful experience of the applicant to undertake eligible program activities.

(b) Sufficiency. (3 Points): The applicant, its sub-recipients, and partners have sufficient personnel or will be able to quickly access qualified experts or professionals, to deliver the proposed activities in each proposed service area in a timely and effective fashion, including the readiness and ability of the applicant to immediately begin the proposed work program. To demonstrate sufficiency, the applicant must submit the proposed number of staff years to be allocated to the project by employees and experts, the titles and relevant professional background and experience of each employee and expert proposed to be assigned to the project, and the roles to be performed by each identified employee and expert.

(2) Program Administration and Fiscal Management (7 Points)

(a) Program Administration.

(4 Points): The soundness of the proposed management of the proposed RSDM program. In order to receive a high score, an applicant must provide a comprehensive description of the project management structure. The narrative must provide a description of how any co-applicants, sub-grantees, and other partner agencies relate to the program administrator as well as the

lines of authority and accountability among all components of the proposed program.

(b) Fiscal Management. (3 Points):

The soundness of the applicant's proposed fiscal management. In order to receive a high score an applicant must provide a comprehensive description of the fiscal management structure, including, but not limited to, budgeting, fiscal controls, and accounting. The application must identify the staff responsible for fiscal management, and the processes and timetable for implementation during the proposed grant period.

(3) Applicant/Administrator Track Record (6 Points):

In order to receive a high score, the applicant must demonstrate its (or the proposed Administrator's) program compliance and successful implementation of any resident self-sufficiency, security or independence oriented grants (including those listed below) awarded to the applicant or overseen by the Administrator. Applicants or Administrators with no prior experience in operating programs that foster resident self-sufficiency, security or independence will receive a score of 0 on this factor. The applicant's past experience may include, but is not limited to, administering the following grants: the Family Investment Center Program; the Youth Development Initiative under the Family Investment Center Program; the Youth Apprenticeship Program; the Apprenticeship Demonstration in the Construction Trades Program; the Urban Youth Corps Program; the HOPE I Program; the Public Housing Service Coordinator Program; the Public Housing Drug Elimination Program; Tenant Opportunities Program; Economic Development and Supportive Services; and the Youth Sports Program.

Rating Factor 2: Need/Extent of the Problem (20 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities to address a documented problem in the target area. Applicants will be evaluated on the extent to which they document a critical level of need in the development or the proposed activities in the area where activities will be carried out. In responding to this factor, applicants will be evaluated on:

(1) A Needs Assessment Document

(18 Points): HUD will award up to 18 points based on the quality and comprehensiveness of the needs assessment document.

(a) In order to obtain maximum points for Family RSDM applications, this

document must contain statistical data which provides:

(i) A thorough socioeconomic profile of the eligible residents to be served by the grant, in relationship to PHA-wide and national public and assisted housing data on residents who are on TANF, SSI benefits, or other fixed income arrangements; in job training, entrepreneurship, or community service programs; and employed.

(ii) Specific information on training, contracting, and employment through the PHA or Tribe.

(iii) An assessment of the current service delivery system as it relates to the needs of the target population, including the number and type of services, the location of services, and community facilities currently in use;

(iv) A description of the goals, objectives, and program strategies that will result in successful transition of residents from welfare-to-work.

(b) In order to obtain maximum points for Elderly and Persons with Disabilities RSDM applications, the needs assessment document should contain statistical data that provide:

(i) The numbers of residents needing assistance for activities of daily living.

(ii) An assessment of the current service delivery system as it relates to the needs of the target population, including the number and type of services, the location of services, and community facilities currently in use.

(iii) A description of the goals, objectives, and program strategies that will result in increased independence for proposed program participants.

(2) *Level of Priority in Consolidated Plan.* (2 Points): Documentation of the level of priority the locality's, or in the case of small cities, the State's, Consolidated Plan has placed on addressing the needs. Applicants may also address needs in terms of fulfilling the requirements of court actions or other legal decisions or which expand upon the Analysis of Impediments to Fair Housing Choice (AI) to further fair housing. Applicants that address needs that are in the community's Consolidated Plan, AI, or a court decision, or identify and substantiate needs in addition to those in the AI, will receive a greater number of points than applicants who do not relate their proposed program to the approved Consolidated Plan or AI or court action. There must be a clear relationship between the proposed activities, community needs and the purpose of the program funding for an applicant to receive points for this factor.

Rating Factor 3: Soundness of Approach (40 Points)

This factor addresses the quality and cost-effectiveness of the applicant's proposed work plan. In rating this factor HUD will consider: the viability and comprehensiveness of strategies to address the needs of residents; budget appropriateness/efficient use of grant; the speed at which the applicant can realistically accomplish the goals of the proposed RSDM program; the soundness of the applicant's plan to evaluate the success of its proposed RSDM program at completion and during program implementation; and resident and other partnerships; and policy priorities.

(1) *Viability and comprehensiveness of the strategies to address the needs of residents* (21 Points): The score under this subfactor will be based on the viability and comprehensiveness of strategies to address the needs of residents. HUD will award up to 19 points based on the following:

(a) *Services* (18 Points for Family RSDM applicants and 21 Points for Elderly and Persons with Disabilities RSDM applicants. More points are awarded in the Elderly and Persons with Disabilities RSDM applications in order to balance other sections of the rating criteria where points are not applicable to an Elderly and Persons with Disabilities RSDM applicant) The score under this subfactor will be based on the following:

(i) For Family RSDM applications, the extent to which an applicant's plan provides services that specifically address the successful transition from welfare to work of non-elderly families. To receive a high score, the applicant's plan should include case management/counseling, job training/development/placement (and/or business training/development/startup), child care, and transportation services. Also, in order to receive maximum points, the goals and objectives of the proposed plan must represent significant achievements related to welfare-to-work and other self-sufficiency/independence goals. Specifically for those residents affected by welfare reform, the number of residents employed or resident businesses started are preferable to the number of residents receiving training.

(ii) For Elderly and Persons with Disabilities RSDM applications, services in the applicant's plan should include case management, health care, congregate services and transportation. To obtain maximum points, the application must describe the goals, objectives, and program strategies that will result in increased independence

for proposed program participants; the services must be located in a community facility; and services must be available on a 12 hour basis or as needed by the eligible residents.

(b) *Resident Contracting and Employment* (3 Points): The score in this factor will be based on the extent to which residents will achieve self-sufficiency through the applicant's contracts with resident-owned businesses and through resident employment. A high score will be awarded where there is documentation (a letter or resolution from the applicant's governing body) describing the applicant's commitment to hire or contract with at least 15% of residents and a narrative describing the number of resident jobs or contracts involved, as well as the training processes related to the comprehensive plan of your application. Elderly and Persons with Disabilities RSDM applications will not be scored on the criterion in this subcategory.

(2) *Budget Appropriateness/Efficient Use of Grant* (5 Points): The score in this factor will be based on the following:

(a) *Detailed Budget Break-Out.* The extent to which the application includes a detailed budget break-out for each budget category in the SF-424A.

(b) *Reasonable Administrative Costs.* The extent to which the application includes administrative costs at or below the 20% administrative cost ceiling.

(c) *Budget Efficiency.* The extent to which the application requests funds commensurate with the level of effort necessary to accomplish the goals and objectives, and the extent to which the requested funding is reasonable in relationship to the anticipated results.

(3) *Reasonableness of the Timetable* (2 Points for Family RSDM applicants and 4 Points for Elderly and Persons with Disabilities RSDM applicants. More points are awarded in Elderly and Persons with Disabilities RSDM applications in order to balance other sections of the rating criteria where points are not applicable to an Elderly and Persons with Disabilities RSDM applicant):

The score in this factor will be based on the speed of response at which the applicant can accomplish the goals of the proposed RSDM program. To receive a high score, the applicant must demonstrate that it will make substantial program implementation progress within the first six months after grant execution, including putting staff in place, finalizing partnership arrangements, completing the development of requests for proposals, and achieving other milestones that are

prerequisites for implementation of the program. In addition, the applicant must demonstrate that the proposed timetable for all components of the proposed program is reasonable considering the size of the grant and its activities and that it can accomplish its objectives within the 24-month time limit.

(4) *Program Assessment*. (3 Points for Family RSDM and Elderly and Persons with Disabilities RSDM): The score in this factor will be based on the soundness of the applicant's plan to evaluate the success of its proposed RSDM program both at the completion of the program and during program implementation. At a minimum, the applicant must track the goals and objectives of the proposed work plan program, which must include, if applicable, a plan for monitoring the applicant's Contract Administrator. HUD will rate more favorably applicants who can track specific measurable achievements for the use of program funds, such as number of residents employed, salary scales of jobs obtained, persons removed from welfare roles 12 months or longer, number of elderly or persons with disabilities residents receiving supportive services, and number of persons receiving certificates for successful completion of training in careers such as computer technology.

(5) *Resident and Other Partnerships* (9 Points for Family RSDM applicants and 7 Points for Elderly and Persons with Disabilities RSDM applicants)

(a) *Resident Involvement in RSDM Activities* (3 Points for Family RSDM applicants and 4 Points for Elderly and Persons with Disabilities RSDM applicants). More points are awarded in Elderly and Persons with Disabilities RSDM applications in order to balance other sections of the rating criteria where points are not applicable to an Elderly and Persons with Disabilities RSDM applicant): The score in this factor will be based on the extent of resident involvement in developing the proposed RSDM program as well as the extent of proposed resident involvement in implementing the proposed RSDM program. In order to receive a high score on this factor, the applicant must describe the involvement of residents in the planning phase for this program, and a commitment to provide continued involvement in grant implementation. For applicants to receive the maximum number of points, a Memorandum of Understanding or other written agreement with the PHA, Tribe or TDHE and the Resident Association involved, as appropriate, must be included.

(b) *Other Partnerships* (3 Points): The score in this factor will be based on the successful integration of partners into

implementation of the proposed RSDM program. In order to receive a high score, an applicant must provide a signed Memorandum of Understanding (MOU) or other equivalent signed documentation that delineates the roles and responsibilities of each of the parties in the program and the benefits they will receive. In assessing this subfactor, HUD will examine a number of aspects of the proposed partnership, including:

(i) The division of responsibilities/management structure of the proposed partnership relative to the expertise and resources of the partners;

(ii) The extent to which the partnership as a whole addresses a broader level of unmet resident needs; and

(iii) The extent to which the addition of the partners provides the ability to meet needs that the applicant could not meet without the partner(s).

(c) *Overall Relationship/Coordination* (3 Points for Family RSDM only): For Family RSDM applicants, the score in this factor will be based on the extent of coordination between the applicant's proposed RSDM program and any existing or proposed programs within the applicant's jurisdiction. In order to receive a high score, the application must contain an MOU that describes collaboration between the applicant and residents on all of the specific components related to the work plan of the proposed RSDM program. To receive points, at a minimum, there must be a narrative description of this collaboration. Elderly and Persons with Disabilities RSDM applications will not be scored on this criterion.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure community resources (note: financing is a community resource) that can be combined with HUD's program resources to achieve program purposes. In evaluating this factor HUD will consider:

The extent to which the applicant has partnered with other entities to secure additional resources to increase the effectiveness of the proposed program activities. The budget, the work plan, and commitments for additional resources and services, other than the grant, must show that these resources are firmly committed, will support the proposed grant activities and will, in combined amount (including in-kind contributions of personnel, space and/or equipment, and monetary contributions) equal at least 25% of the RSDM grant amount proposed in this application.

"Firmly committed" means there must be an written agreement with the provider of resources, signed by an official legally able to make commitments on behalf of the organization. The signed, written agreement may be contingent upon an applicant receiving a grant award. Other resources and services may include: the value of in-kind services, contributions or administrative costs provided to the applicant; funds from Federal sources (not including RSDM funds); funds from any State or local government sources; and funds from private contributions. Applicants may also partner with other program funding recipients to coordinate the use of resources in the target area.

Applicants must provide evidence of leveraging/partnerships by including in the application letters of firm commitments, memoranda of understanding, or agreements to participate from those entities identified as partners in the application. To be firmly committed there must be a written agreement with the provider of resources signed by an official legally able to make commitments on behalf of the organization. This agreement may be contingent upon an applicant receiving a grant award. Each letter of commitment, memorandum of understanding, or agreement to participate should include the organization's name, proposed level of commitment and responsibilities as they relate to the proposed program.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant's program reflects a coordinated, community-based process of identifying needs and building a system to address the needs by using available HUD funding resources and other resources available to the community.

In evaluating this factor HUD will consider the extent to which the application addresses:

(1) *Coordination with the Consolidated Plan* (2 Points for Family RSDM applicants and 6 points for Elderly and Persons with Disabilities RSDM applicants. More points are awarded for Elderly and Persons with Disabilities RSDM applications in order to balance other sections of the rating criteria where points are not applicable to an Elderly and Persons with Disabilities RSDM applicant.) Demonstrates the applicant has reviewed the community's Consolidated Plan and/or Analysis of Impediments to Fair Housing Choice, and has proposed activities that address the priorities,

needs, goals or objectives in those documents; or substantially furthers fair housing choice in the community.

(2) *For Family RSDM Applications, Coordination with the State or Tribal Welfare Plan* (4 Points): Provides evidence that the proposed RSDM program has been coordinated with and supports the PHA's, Tribe's/TDHE's efforts to increase resident self-sufficiency and is coordinated and consistent with the State, Tribal or local Welfare Plan.

(3) *Coordination with Other Activities* (4 Points): Demonstrates that the applicant, in carrying out program activities, will develop linkages with: other HUD-funded program activities proposed or on-going in the community; or other State, Tribal, Federal or locally funded activities proposed or on-going in the community which, taken as a whole, support and sustain a comprehensive system to address the needs.

(J) Grant Term

The grant term for Resident Service Delivery Models grants is thirty-six months from the execution date of the grant agreement.

VI. Service Coordinators for Elderly and Persons With Disabilities

(A) Program Description

The Service Coordinator program for the elderly and persons with disabilities provides funding for the employment and support of service coordinators in public housing developments designated for the elderly and persons with disabilities. These elderly and disabled service coordinators help residents obtain supportive services that are needed to enable independent living and aging in place.

(B) Amounts Allocated

A total of \$15 million is available for awards to qualified applicants for service coordinators to serve the elderly and persons with disabilities. These funds may only be used as follows:

(1) Renewal of existing Service Coordinator (SC) grants from prior years. This limitation is imposed in order to further the achievement of the Congressional intent conferred with the passage of the FY 1998 EDSS appropriation to renew all service coordinator and congregate services grants expiring in fiscal year 1998. No applications for new Service Coordinator grants will be accepted under this funding category.

(2) For the Elderly and Persons with Disabilities SC category, award amounts cannot be higher than the applicant's highest funding and staffing level for

any one-year period that was approved for their last funded Service Coordinator Grant. An increase of up to 2 percent over this amount will be allowed if supported by a narrative justification.

(C) Eligible Applicants

(1) This funding category provides grants to PHAs with developments designated for the elderly and persons with disabilities.

(2) A PHA may not apply for elderly and disabled service coordinator funding if it has an expiring elderly Service Coordinator or EDSS grants that has spent less than 75% of the prior grant by the publication date of this NOFA.

(3) *Joint Applications.* Two or more PHAs may join together to share a service coordinator and so submit joint applications. Joint applications must designate a lead applicant. Funding for a joint application may not exceed the stated maximum for this funding category.

(D) Eligible Developments

To be eligible, a development must have elderly residents and/or non-elderly resident with disabilities who together total at least 25 percent of the building's residents.

(E) Eligible Activities

Under this funding category, funds may be used for the following activities:

(1) Service coordinator

Grant funds from this category may be used to pay for the salary, fringe benefits, and related administrative costs for employing a service coordinator. A service coordinator is a social service staff person hired or contracted by the PHA. The coordinator is responsible for assuring that elderly residents, especially those who are frail or at risk, and those non-elderly residents with disabilities are linked to the supportive services they need to continue living independently in that development. The service coordinator, however, may not require any elderly person or person with disabilities to accept the supportive services. For the purposes of this program, a service coordinator is any person who is responsible for one or more of the following functions:

(a) Working with community service providers to coordinate the provision of services and to tailor the services to the needs and characteristics of eligible residents;

(b) Establishing a system to monitor and evaluate the delivery, impact, effectiveness and outcomes of supportive services under this program;

(c) Coordinating this program with other independent living or self-sufficiency, education and employment programs;

(d) Performing other duties and functions to assist residents to remain independent, and to prevent unnecessary institutionalization; and

(e) Mobilizing other national and local public/private resources and partnerships.

(2) Administrative Costs

May include, but are not limited to, purchase of furniture, office equipment and supplies, training, quality assurance, travel, and utilities. Administrative costs must not exceed 20% of the total grant costs.

(F) Ineligible Costs

(1) Applicants may not use these monies to replace current funding from other sources for a Service Coordinator or for some other staff person who performs service coordinator functions.

(2) The cost of application preparation is not eligible.

(G) Application Submission Requirements

(1) Each application must be submitted in one original and two copies. Applications may not be sent by facsimile (FAX).

(2) *Required Certifications, Assurances and other Forms.* All applications for funding under this funding category must contain the following documents and information:

(a) Transmittal letter and request using the designated format;

(b) Grant Certifications;

(c) Evidence of comparable salaries in local area;

(d) Applicant checklist;

(e) For PHAs with expiring elderly or disabled Service Coordinator or Elderly or Disabled EDSS grants, evidence of grant expenditures that total at least 75% of grant funds by the publication date of this NOFA.

(f) Lead Agency letter format (if appropriate);

(g) Certification of Non-Duplication of Funding Request;

(h) Each applicant must submit signed copies of the following forms, assurances, and certifications:

(i) Standard Form (SF) 424, Standard Form for Application for Federal Assistance;

(j) Standard Form (SF) 424-B, Assurances for Non-Construction Programs.

(k) Drug-Free Workplace Certification (HUD-50070);

(l) Certification and Disclosure Form Regarding Lobbying Activities (SF-LLL); and

(m) Applicant/Recipient Disclosure Update Report (HUD-2880).

(H) Threshold Requirements

(1) Elderly and/or Disabled Housing Development Certification

A Certification that at least 25% of the residents of the development(s) proposed for grant activities are elderly and/or non-elderly people with disabilities at the time of application.

(2) Accessible Community Facility

The application must provide evidence (e.g. through an executed use agreement if the facility is to be provided by an entity other than the PHA that a majority of the proposed activities will be administered at community facilities within easy transportation access (i.e., walking or by direct (no transfers required), convenient, inexpensive and reliable transport), of the property represented by the PHA. The community facilities must also meet the structural accessibility requirements of Section 504 of the Rehabilitation Act and the Americans With Disabilities Act.

(3) Match Requirement

(a) The applicant must supplement grant funds with an in-kind and/or cash match of not less than 25% of the grant amount. This match does not have to be a cash match. The match may include: the value of in-kind services, contributions or administrative costs provided to the applicant; funds from Federal sources (but not ROSS, EDSS, TOP, SC funds); funds from any State or local government sources; and funds from private contributions.

(b) The application must demonstrate that the cash or in-kind resources and services, which the applicant will use as match amounts (including resources from the applicant's Comprehensive Grant, other governmental units/agencies of any type, and/or private sources, whether for-profit or not-for-profit), are firmly committed and will support the proposed grant activities. "Firmly committed" means there must be a written agreement to provide the resources and services signed by an official legally able to make commitments on behalf of the organization. The written agreement may be contingent upon an applicant receiving a grant award.

(c) The following are guidelines for valuing certain types of in-kind contributions:

(i) The value of volunteer time and services shall be computed at a rate of six dollars per hour except that the value of volunteer time and services

involving professional and other special skills shall be computed on the basis of the usual and customary hourly rate paid for the service in the community where the activity is located.

(ii) The value of any donated material, equipment, building, or lease shall be computed based on the fair market value at time of donation. Such value shall be documented by bills of sales, advertised prices, appraisals, or other information for comparable property similarly situated not more than one year old taken from the community where the item or activity is located, as appropriate.

(4) Compliance With Current Programs

The applicant must provide certification in the format provided in the application kit that it is not in default at the time of application submission with respect to grants for the following programs: the Family Investment Center Program; the Youth Development Initiative under the Family Investment Center Program; the Youth Apprenticeship Program; the Apprenticeship Demonstration in the Construction Trades Program; the Urban Youth Corps Program; the HOPE 1 Program; the Public Housing Service Coordinator Program; the Public Housing Drug Elimination Program; the Youth Sports Program; the Tenant Opportunities Program; and the Economic Development and Supportive Services Program.

(I) Application Selection Process

Applicants for Elderly or Persons with Disabilities Service Coordinator grants are required to address application submission requirements, but are not required to address selection factors. To be eligible for funding, an application must meet the threshold requirements of sections VI.(H) and VII. of this NOFA, and submit all information required under this NOFA. HUD will accept eligible applications for funding on a first-come, first-serve basis for up to 30 days from the publication date of this NOFA or until funds are exhausted. If all funds are not awarded in this funding category to eligible applications, funds are transferable first to the Technical Assistance/Training Support for Resident Organizations category, and then to other funding categories in this NOFA in the following order: first, Resident Management and Business Development under section IV.(A) of this NOFA; second, Resident Capacity Building and/or Conflict Resolution under section IV.(B) of this NOFA; third, Resident Service Delivery Models under section V. of this NOFA.

(J) Grant Term

The grant term for Elderly or Persons with Disabilities Service Coordinator grants is twelve months from the execution date of the grant agreement.

VII. General Threshold Requirements

(A) Compliance With Fair Housing and Civil Rights Laws

All applicants and their subrecipients must comply with all Fair Housing and civil rights laws, statutes, regulations and executive orders as enumerated in 24 CFR 5.105(a).

If you, the applicant—

(1) Have been charged with a systemic violation of the Fair Housing Act by the Secretary alleging ongoing discrimination;

(2) Are a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging an ongoing pattern or practice of discrimination; or

(3) Have received a letter of noncompliance findings under Title VI, Section 504, or Section 109,—

HUD will not rank and rate your application under this NOFA if the charge, lawsuit, or letter of findings has not been resolved to the satisfaction of the Department before the application deadline stated in the individual program NOFA. HUD's decision regarding whether a charge, lawsuit, or a letter of findings has been satisfactorily resolved will be based upon whether appropriate actions have been taken to address allegations of ongoing discrimination in the policies or practices involved in the charge, lawsuit, or letter of findings.

(B) Additional Nondiscrimination Requirements

The applicant and any subrecipients, must comply with the Americans with Disabilities Act, and Title IX of the Education Amendments Act of 1972.

(C) Affirmatively Furthering Fair Housing

The applicant must include in the application or work plan the specific steps that the applicant will take to:

(1) Address the elimination of impediments to fair housing that were identified in the jurisdiction's Analysis of Impediments (AI) to Fair Housing Choice;

(2) Remedy discrimination in housing; or

(3) Promote fair housing rights and fair housing choice.

Further, the applicant has a duty to carry out the specific activities provided in your responses to the NOFA rating factors that address affirmatively furthering fair housing.

(D) Economic Opportunities for Low and Very Low-Income Persons (Section 3)

The ROSS Program requires recipients of assistance to comply with section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (Economic Opportunities for Low and Very Low-Income Persons in Connection with assisted Projects) and the HUD regulations at 24 CFR part 135, including the reporting requirements subpart E. Section 3 requires recipients to ensure that, to the greatest extent feasible, training, employment and other economic opportunities will be directed to (1) low and very low income persons, particularly those who are recipients of government assistance for housing and (2) business concerns which provide economic opportunities to low and very low income persons.

(E) Relocation

Any person (including individuals, partnerships, corporations or associations) who moves from real property or moves personal property from real property directly (1) because of a written notice to acquire real property in whole or in part, or (2) because of the acquisition of the real property, in whole or in part, for a HUD-assisted activity is covered by Federal relocation statute and regulations. Specifically, this type of move is covered by the acquisition policies and procedures and the relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), and the implementing government-wide regulation at 49 CFR part 24.

The relocation requirements of the URA and the government-wide regulations cover any person who moves permanently from real property or moves personal property from real property directly because of rehabilitation or demolition for an activity undertaken with HUD assistance.

(F) Forms, Certifications and Assurances

The applicant is required to submit signed copies of the standard forms, certifications, and assurances listed in this NOFA. As part of HUD's continuing efforts to improve the NOFA process, several of the required standard forms have been simplified this year. The standard forms, certifications, and assurances are as follows:

- (1) Standard Form for Application for Federal Assistance (SF-424);
- (2) Standard Form for Budget Information—Non-Construction

Programs (SF-424A) or Standard Form for Budget Information—Construction Programs (SF-424C), as applicable;

(3) Standard Form for Assurances—Non-Construction Programs (SF-424B) or Standard Form for Assurances—Construction Programs (SF-424D), as applicable;

(4) Drug-Free Workplace Certification (HUD-50070);

(5) Certification and Disclosure Form Regarding Lobbying (SF-LLL).

(6) Applicant/Recipient Disclosure Update Report (HUD-2880);

(7) Certification that the applicant will comply with the requirements of the Fair Housing Act, Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, and will affirmatively further fair housing. CDBG recipients applying for funds under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 *et seq.*) also must certify to compliance with section 109 of the Housing and Community Development Act.

(8) Certification required by 24 CFR 24.510. (The provisions of 24 CFR part 24 apply to the employment, engagement of services, awarding of contracts, subgrants, or funding of any recipients, or contractors or subcontractors, during any period of debarment, suspension, or placement in ineligibility status, and a certification is required.)

(G) OMB Circulars

For the ROSS Program, the policies, guidance, and requirements of OMB Circular No. A-87 (Cost Principles Applicable to Grants, Contracts and Other Agreements with State and Local Governments), OMB Circular No. A-122 (Cost Principles for Nonprofit Organizations), 24 CFR part 84 (Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations) and 24 CFR part 85 (Administrative Requirements for Grants and Cooperative Agreements to State and Local governments) may apply to the award, acceptance and use of assistance and to the remedies for noncompliance, except when inconsistent with the provisions of the FY 1999 HUD Appropriations Act, other Federal statutes. Copies of the OMB Circulars may be obtained from EOP Publications, Room 2200, New Executive Office Building, Washington, DC 10503, telephone (202) 395-7332 (this is not a toll free number).

(H) Conflicts of Interest

If you are a consultant or expert who is assisting HUD in rating and ranking

applicants for funding under this NOFA, you are subject to 18 U.S.C. 208, the Federal criminal conflict of interest statute, and the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR part 2635. As a result, if you have assisted or plan to assist applicants with preparing applications for this NOFA, you may not serve on a selection panel and you may not serve as a technical advisor to HUD for this NOFA. All individuals involved in rating and ranking this NOFA, including experts and consultants, must avoid conflicts of interest or the appearance of conflicts. Individuals involved in the rating and ranking of applications must disclose to HUD's General Counsel or HUD's Ethic Law Division the following information if applicable: the selection or non-selection of any applicant under this NOFA will affect the individual's financial interests, as provided in 18 U.S.C. 208; or the application process involves a party with whom the individual has a covered relationship under 5 CFR 2635.502. The individual must disclose this information prior to participating in any matter regarding this NOFA. If you have questions regarding these provisions or if you have questions concerning a conflict of interest, you may call the Office of General Counsel, Ethics Law Division, at 202-708-3815 and ask to speak to one of HUD's attorneys in this division.

VIII. Program Requirements

Grantees must meet the following program requirements:

(A) Compliance With Civil Rights Requirements

In addition to compliance with the civil rights requirements at 24 CFR 5.105, each successful applicant must comply with the nondiscrimination in employment requirements of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*; the Equal Pay Act, 29 U.S.C. 206(d); the Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 *et seq.*, and Titles I and V of the Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.* Tribes/TDHEs must comply with the Indian Civil Rights Act (Title II of the Civil Rights Act of 1968, 24 U.S.C. 1001-1303); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

(B) Adhere to the Grant Agreement

After an application has been approved, HUD and the applicant shall enter into a grant agreement (Form 1044 and attachments) incorporating the

entire application except as modified by HUD and setting forth the amount of the grant and its applicable terms, conditions, financial controls, payment mechanism (which except under extraordinary conditions will operate under HUD's Line of Credit Control System (LOCCS) and special conditions, including requiring adherence to the appropriate OMB circulars and other government wide requirements and specifying sanctions for violation of the agreement. The grant agreement will include additional information regarding Insurance/Indemnification, Freedom of Information Act, grant staff personnel, exclusion period, earning and benefits, reports, close-outs, and treatment of income.

(C)

Within twelve months of HUD grant approval, successful applicants who are site-based RAs must have applied for 501(c) status from the United States Internal Revenue Service.

(D) *Risk Management*

Grantees and subgrantees are required to implement, administer and monitor programs so as to minimize the risk of fraud, waste, abuse, and liability for losses from adversarial legal action.

(E) *ROSS Evaluation and Assessment*

All applicants selected for award must be willing to participate in the evaluation and assessment that HUD intends to conduct for the ROSS Program. At grant award HUD will provide additional information on the evaluation and assessment for applicants who receive awards.

(F) *Applicant Internet Access*

Prior to the initial draw down, all grantees shall have secured online access to the Internet as a means to communicate with HUD on grant matters.

(G) *Definitions*

City-Wide Resident Organization consists of members from Resident Councils, Resident Management Corporations, and Resident Organizations who reside in housing developments that are owned and operated by the same PHA within a city.

Community Facility means a non-dwelling structure that provides space for multiple supportive services for the benefit of public housing residents (as well as others eligible for the services provided) that may include but are not limited to:

- (1) Child care;
- (2) After-school activities for youth;
- (3) Job training;

- (4) Campus of Learner activities; and
- (7) English as a Second Language (ESL) classes.

Contract Administrator means an overall administrator and/or a financial management agent that oversees the financial aspects of a grant and assists in the entire implementation of the grant. Examples of qualified organizations that can serve as a Contract Administrator are:

- (1) Local housing agencies; and
- (2) Community based organizations such as Community Development Corporations (CDCs), community churches, and State/Regional Associations/Organizations.

Development has the same meaning as the term "Project" below.

Firmly Committed means there must be a written agreement to provide the resources. This written agreement may be contingent upon an applicant receiving an award.

Elderly person means a person who is at least 62 years of age.

Jurisdiction-Wide Resident

Organization means an incorporated nonprofit organization or association that meets the following requirements:

- (1) Most of its activities are conducted within the jurisdiction of a single housing agency;
- (2) There are no incorporated Resident Councils or Resident Management Corporations within the jurisdiction of the single housing agency;
- (3) It has experience in providing start-up and capacity-building training to residents and resident organizations; and
- (4) Public housing residents representing unincorporated Resident Councils within the jurisdiction of the single housing agency must comprise the majority of the board of directors.

Intermediary Resident Organizations means Jurisdiction-Wide Resident Organizations, City-Wide Resident Organizations, State-Wide Resident Organizations, Regional Resident Organizations, and National Resident Organizations.

National Resident Organization (NRO) means an incorporated nonprofit organization or association for public housing that meets each of the following requirements:

- (1) It is national (i.e., conducts activities or provides services in at least two HUD Areas or two States);
- (2) It has experience in providing start-up and capacity-building training to residents and resident organizations; and
- (3) Public housing residents representing different geographical locations in the country must comprise the majority of the board of directors.

Person with disabilities means an adult person who:

- (1) Has a condition defined as a disability in section 223 of the Social Security Act;
- (2) Has a developmental disability as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act; or
- (3) Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment which:
 - (a) Is expected to be of long-continued and indefinite duration;
 - (b) Substantially impedes his or her ability to live independently; and
 - (c) Is of such a nature that such ability could be improved by more suitable housing conditions.

The term "person with disabilities" does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. In addition, no individual shall be considered a person with disabilities, for purposes of eligibility for low-income housing, solely on the basis of any drug or alcohol dependence.

The definition provided above for persons with disabilities is the proper definition for determining program qualifications. However, the definition of a person with disabilities contained in Section 504 of the rehabilitation Act of 1973 and its implementing regulations must be used for purposes of reasonable accommodations.

Program Coordinator is a person who is responsible for coordinating various proposed RSDM activities to ensure that their accomplishment will assist in achieving overall grant goals and objectives.

Project is the same as "low-income housing project" as defined in section 3(b)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437 *et seq.*) (1937 Act).

Resident Association (RA) means any or all of the forms of resident organizations as they are defined elsewhere in this Definitions section and includes Resident Councils (RC), Resident Management Corporations (RMC), Regional Resident Organizations (RRO), Statewide Resident Organizations (SRO), Jurisdiction-Wide Resident Organizations, and National Resident Organizations (NRO).

Resident Council (RC) means (as provided in 24 CFR 964.115) an incorporated or unincorporated nonprofit organization or association that shall consist of persons residing in public housing and must meet each of the following requirements in order to

receive official recognition from the PHA/HUD, and be eligible to receive funds for RC activities and stipends for officers for their related costs for volunteer work in public housing. (Although 24 CFR part 964 defines an RC as an incorporated or unincorporated nonprofit organization, HUD requires RC applicants for ROSS grants to be registered with the State at the time of application submission):

(1) It must adopt written procedures such as by-laws, or a constitution which provides for the election of residents to the governing board by the voting membership of the public housing residents. The elections must be held on a regular basis, but at least once every 3 years. The written procedures must provide for the recall of the resident board by the voting membership. These provisions shall allow for a petition or other expression of the voting membership's desire for a recall election, and set the percentage of voting membership ("threshold") which must be in agreement in order to hold a recall election. This threshold shall not be less than 10 percent of the voting membership.

(2) It must have a democratically elected governing board that is elected by the voting membership. At a minimum, the governing board should consist of five elected board members. The voting membership must consist of heads of households (any age) and other residents at least 18 years of age or older and whose name appear on a lease for the unit in the public housing that the resident council represents.

(3) It may represent residents residing in:

- (a) Scattered site buildings in areas of contiguous row houses;
- (b) One or more contiguous buildings;
- (c) A development; or
- (d) A combination of the buildings or developments described above.

Regional Resident Organization (RRO) means an incorporated nonprofit organization or association for public housing that meets each of the following requirements:

- (1) It is regional (i.e., not limited by HUD Areas);
- (2) It has experience in providing start-up and capacity-building training to residents and resident organizations; and

(3) Public housing residents representing different geographical locations in the region must comprise the majority of the board of directors.

Resident Management Corporation (RMC) (See 24 CFR 964.7, 964.120) means an entity that consists of residents residing in public housing and must have each of the following

characteristics in order to receive official recognition by the PHA and HUD:

(1) It shall be a nonprofit organization that is validly incorporated under the laws of the State in which it is located;

(2) It may be established by more than one RC, so long as each such council:

(a) Approves the establishment of the corporation; and

(b) Has representation on the Board of Directors of the corporation.

(3) It shall have an elected Board of Directors, and elections must be held at least once every 3 years;

(4) Its by-laws shall require the Board of Directors to include resident representatives of each RC involved in establishing the corporation; include qualifications to run for office, frequency of elections, procedures for recall, and term limits if desired;

(5) Its voting members shall be heads of households (any age) and other residents at least 18 years of age and whose name appear on the lease of a unit in public housing represented by the RMC;

(6) Where an RC already exists for the development, or a portion of the development, the RMC shall be approved by the RC board and a majority of the residents. If there is no RC, a majority of the residents of the public housing development it will represent must approve the establishment of such a corporation for the purposes of managing the project; and

(7) It may serve as both the RMC and the RC, so long as the corporation meets the requirements of this part for an RC.

Secretary means the Secretary of Housing and Urban Development.

Site-Based Resident Associations means Resident Councils and Resident Management Corporations.

Statewide Resident Organization (SRO) means a Site-Based incorporated nonprofit organization or association for public housing that meets the following requirements:

- (1) It is Statewide;
- (2) It has experience in providing start-up and capacity-building training to residents and resident organizations; and

(3) Public housing residents representing different geographical locations in the State must comprise the majority of the board of directors.

Tribal housing means housing assisted under the Indian Housing Block Grant Program at 24 CFR part 1000.

(H) Environmental Requirements

It is anticipated that most activities under this NOFA will be categorically excluded under 24 CFR 50.19(b)(3),

(b)(9), (b)(12), or (b)(14). An applicant proposing physical development activities is prohibited from rehabilitating, converting, leasing, repairing or constructing property, or committing or expending HUD or non-HUD funds for these types of program activities, until one of the following has occurred:

(1) If the grantee is not a PHA, HUD has completed an environmental review to the extent required by 24 CFR part 50, prior to grant awards.

(2) If the grantee is a PHA, HUD has approved the grantee's Request for Release of Funds (HUD Form 7015.15) following a Responsible Entity's completion of an environmental review under 24 CFR part 58, where required, or if HUD has determined in accordance with § 58.11 to perform the environmental review itself under part 50, HUD has completed the environmental review.

IX. Application Submission Requirements

The applicant must submit the following, which are further described in the application kit.

(A) Needs Assessment Report which includes statistical or survey information on the needs of the recipient population; please use the appropriate format provided in the application kit.

(B) A three-year work plan for implementing grant activities which includes reasonably achievable, quantifiable goals, budget, timetable and strategies, including any innovative approaches. In addition to a narrative, please use the formats provided in the application kits to chart the following:

- (1) Activity plan summary;
- (2) Activity breakout;
- (3) Budget breakout;
- (4) Summary budget;
- (5) Program resources; and
- (6) Program staffing;

(C) Information on the applicant and/or administrator track record with comparable initiatives. Please provide the chart and/or certification format provided in the application kit;

(D) Certifications and assurances referenced in this program. Applicants who are IROs or non profits operating association and/or networks operating programs that benefit public housing resident organizations must also submit a list of site-based resident associations they intend to be assisted.

(E) Memorandum of Understanding/Agreement; commitment letters; and other required documentation of partnerships.

X. Correction to Deficient Applications

After the application due date, HUD may not, consistent with 24 CFR part 4, subpart B, consider unsolicited information from an applicant. HUD may contact an applicant, however, to clarify an item in the application or to correct technical deficiencies.

Applicants should note, however, that HUD may not seek clarification of items or responses that improve the substantive quality of the applicant's response to any eligibility or selection criterion. Examples of curable technical deficiencies include failure to submit the proper certifications or failure to submit an application containing an original signature by an authorized official. In each case, HUD will notify the applicant in writing by describing the clarification or technical deficiency. HUD will notify applicants by facsimile or by return receipt requested.

Applicants must submit clarifications or corrections of technical deficiencies in accordance with information provided by HUD within 14 calendar days of the date of receipt of the HUD notification. If the deficiency is not corrected within this time period, HUD will reject the application as incomplete.

XI. Findings and Certifications

(A) Paperwork Reduction Act Statement

The information collection requirements contained in this notice were submitted to the Office of Management and Budget for review under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520) and have been assigned OMB control number 2577–0211. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

(B) Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR Part 50, which implement Section 102(2)(C) of the National Environmental Policy Act of 1969. This finding is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays in the Office of the Rules Docket Clerk, Office of the General Counsel, Department of Housing and Urban Development, Room 10276, 451 Seventh Street, SW., Washington, DC 20410.

(C) Federalism, Executive Order 12612

The General Counsel, as the Designated Official under section 6(a) of

Executive Order 12612, *Federalism*, has determined that the policies contained in this NOFA will not have substantial direct effects on States or their political subdivisions, or on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Specifically, the NOFA solicits applicants to help eligible families make the transition from welfare to work, and does not impinge upon the relationships between the Federal government and State and local governments. As a result, the NOFA is not subject to review under the Order.

(D) Prohibition Against Lobbying Activities

You, the applicant, are subject to the provisions of section 319 of the Department of Interior and Related Agencies Appropriation Act for Fiscal Year 1991, 31 U.S.C. 1352 (the Byrd Amendment), which prohibits recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan. You are required to certify, using the certification found at Appendix A to 24 CFR part 87, that they will not, and have not, used appropriated funds for any prohibited lobbying activities. In addition, you must disclose, using Standard Form-LLL, "Disclosure of Lobbying Activities," any funds, other than Federally appropriated funds, that will be or have been used to influence Federal employees, members of Congress, and congressional staff regarding specific grants or contracts.

(E) Section 102 of the HUD Reform Act; Documentation and Public Access Requirements

Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545) (HUD Reform Act) and the regulations codified in 24 CFR part 4, subpart A, contain a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992 (57 FR 1942), HUD published a notice that also provides information on the implementation of section 102. The documentation, public access, and disclosure requirements of section 102 apply to assistance awarded under this NOFA as follows:

(1) Documentation and Public Access Requirements

HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 5-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations in 24 CFR part 15.

(2) Disclosures

HUD will make available to the public for 5 years all applicant disclosure reports (Form HUD–2880) submitted in connection with this NOFA. Update reports (also Form HUD–2880) will be made available along with the applicant disclosure reports, but in no case for a period less than 3 years. All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 5.

(3) Publication of Recipients of HUD Funding

HUD's regulations at 24 CFR 4.7 provide that HUD will publish a notice in the **Federal Register** on at least a quarterly basis to notify the public of all decisions made by the Department to provide:

- (i) Assistance subject to section 102(a) of the HUD Reform Act; or
- (ii) Assistance that is provided through grants or cooperative agreements on a discretionary (non-formula, non-demand) basis, but that is not provided on the basis of a competition.

(F) Section 103 HUD Reform Act

HUD's regulations implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a), codified in 24 CFR part 4, apply to this funding competition. The regulations continue to apply until the announcement of the selection of successful applicants. HUD employees involved in the review of applications and in the making of funding decisions are limited by the regulations from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive

advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics related questions should contact the HUD Ethics Law Division at (202) 708-3815. (This is not a toll-free number.) For HUD employees who have specific program questions, the employee should contact the appropriate field office counsel, or

Headquarters counsel for the program to which the question pertains.

(G) *Catalog of Federal Domestic Assistance Numbers*

The Catalog of Federal Domestic Assistance number for this program is 14.870.

XIII. Authority.

The Departments of Veterans Affairs and Housing and Urban Development, Independent Agencies Appropriation Act of 1999 (Pub. L. 105-276, 112 Stat.

2461, approved October 21, 1998), and the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1998 (Pub. L. 105-65, 111 Stat. 1344, approved October 27, 1997).

Dated: July 27, 1999.

Harold Lucas,

Assistant Secretary for Public and Indian Housing.

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